DEBATES

RELATIVE TO THE 2860 20

AFFAIRS of IRELAND,

In the YEARS 1763 and 1764.

TAKEN BY

A MILITARY OFFICER.

SIT WIHI FAS AUDITA LOQUI. Virg. What I have heard, permit me to relate.

To which is added,

ARENQUIRY

How far the RESTRICTIONS laid upon the Trade of IRELAND, by British Acts of Parliament, are a Benefit or Disadvantage to the British Dominions in general, and to England in particular, for whose separate Advantage they were intended.

WITH

Extracts of such Parts of the STATUTES as lay the Trade of IRELAND under those Restrictions.

VOLUME II.

LONDON:

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Relative to the light has

AFFAIRS OF IRELAND.

MONDAY, November 21, 1763.

TWENTY-SECOND DAY.

A Report being received from a Committee, relative to several Sums granted, and to be granted for improving an inland Navigation, the House again resolved itself into a Committee of the whole House, to consider of the Supplies and the Speech; when the H—ble Mr B— M— spoke to the following Effect:

The H-ble Mr B-M-.

I have heard in this House, relative to the distressed State of this Kingdom, has determined me to deall in my Power to prevent the corrupt or injudicious Disposal of public Money. It is with great Pleasure that I observe a Disposition in the House not to grant Money for the Commencement of new Works, pretended to be of public Utility; but, I am forry to say, that if the Works that are already begun

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are carried on with an Expence proportioned to that of the Partalready executed, they will cost us too dear; for no Advantage, which it is pretended they will produce, can counterballance the Evil of Bankruptcy, which, I think, they must inevitably bring upon us. A Sum of 50001. is demanded of us for one Part of the Shannon, and no less than 50,000/. is faid to be necessary to compleat that Undertaking, upon which we have expended 76,000% already, and though there are particular Duties established into a regular Fund, for improving the Inland Navigation of this Country, as being the principal Object of National Attention, yet the parliamentary Aids that have been granted for this Purpose are immense: No less, Sir, than 233,000 1. has been appropriated to that Fund fince the Year 1753, from which the Public has not hitherto received the least Advantage. The Undertakers are, indeed, as liberal of their Promifes as we have been of our Money; thefe cunning Alchymifts are continually telling us, that the Moment of Projection is at hand, and that the Treasures of factitious Gold will be foon poured into our Lap; we have always been disappointed, yet we still believe; and though those who pretend to enrich

enrich us, are every Day enriching themselves at our Expence, we blindly acquiefce in the Cheat, and make the Lois we have incurred already a Reason for incurring greater. We have long believed that the next Seffions will see a Navigation established through the whole Interior of the Kingdom, by a Variety of Schemes, which are still kept on foot with the public Money : But furely, Sir, it is very strange that Experience itself should not convince us that these Schemes are impracticable, and it is strange that we should not yet have discovered that the greater Part of them are unnecessary. What are the Commodities that this Inland Navigation is to transport? Have we any Towns on the Banks, or near the Branches of these Canals, that can supply Vessels with Manufactures, or any other Article of Commerce, in fuch Quantities as will make the Benefit of Navigation equal to the Expence? Our Roads are good, Sir, Labour is cheap, and Land-Carriage may be procured for fuch Commodities as we have to fend from one interiour Town to another, at a very eafy Expense; at an Expense much less than will be necessary to keep the Rivers navigable, that we are labouring to make fo; supposing we should succeed, new formed

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Debates relative to the DAY XXII. Channels are liable to be obstructed by the falling in of Banks, and the ruthing down of Floods: The Stream must, in many Places, be raifed by Locks and Flood-Gates, which are Structures of great Expence, and, by being alternately wet and dry, are subject to speedy decay, and, when all is done, as no one House will be able to load a Vessel, its Departure must be delayed till a Freight can be gleaned up from feveral, so that the Conveyance of the Commodity would not only be more expensive, but less expeditions than by Land, except only in Turf and Coals. With Respect to the Conveyance of these Articles to Dublin, Water-Carriage will be an Advantage, and where it is to be appropriated to them, and there is a rational Prospect of Success, at a reasonable Expence, I think the Undertaking should be encouraged. Our first Consideration certainly should be, whether the Towns between which this Communication is to be opened, have any Thing to communicate, whereas we have only confidered whose Estate should be improved, and, at the same Time that we have squandered immense Sums in fome Counties, we have not laid out a Penny in others, where there were Prospects of greater Advantage, and more easy Success. Be-

Besides, Sir, the very Method of obtaining Money for these Purposes seems to be inequitable: Why should the Counties of Fermanagh and Cavan be taxed, to make Experiments upon a Piece of Inland Navigation in Kilkenney? If we do appropriate any Sum to these Experiments, let it be by an Addition to the appropriated Duties, and not by enormous Aids of Parliament. The Duties now appropriated to the Inland Navigation of this Kingdom, amount to about 0,000 l. a Year, and, if we lay some additional Tax upon Luxury, that will produce about 6,000 /. a Year more, the Fund will be quite sufficient to defray the Expences of all Works that may rationally be undertaken on this Account. I think an additional Tax upon Cards would raise 3,000 L of the Money, and playing at Cards is not only a Luxury, but a Luxury that is too frequently pushed into a Vice, the most odious and pernicious that has ever contaminated the Mind, or diffurbed Society. The present Tax upon this Article brings in 2000/. a Year, and, I am very confident, that if it was double, there would not be one Card less used than at present i vising of an lo loors Founder; a Man who was the Object of u-

Mertal Admiration and Reverence, for he

Mr R— Fitz-G— perfectly agreed with Mr M—, and proposed a Tax upon Dogs, which, he said, would contribute to the Preservation of the Game, and raise a considerable Sum besides, as those who kept Dogs for Pleasure would chearfully pay the Tax which secured their Sport,

Sir R - D -.

There is a charitable Institution in this Clty, Sir, for which I will venture to follicit a parliamentary Aid, even under the fullest Conviction of the Truth of what has been faid in this House against such Aids. The late most eminent and excellent Dean of St Patrick's, Dr Jonathan Swift, left, by his Will, a certain Sum to erect and endow an Hospital for the Cure and Maintenance of Ideots and Lunatics: I should think it Presumption in me to expatiate on the Propriety of this Institution, or by any Attempt at pathetic Eloquence, to interest you for the Objects it was intended to relieve. The greatest possible Proof of its Propriety is the Character of its Founder; a Man who was the Object of univerfal Admiration and Reverence, for his Wit

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Wit, his Judgment, and his public Spirit; who knew Mankind as Solomon did vegetable Nature, from the Cedar in Lebanon to the Hysop upon the Wall, and who made the Foundation of this Charity the last and most folemn Act of a Life that was spent in doing good, not by the Indulgence of a mere Instinct, in an undistinguishing Bounty, nor with the external Graces of Compassion, that sollicit the Tribute of Praise, but upon a steady and rational Principle of Piety to God, and Beneficence to Man. For those whom Swift diftinguished, as having a superior Claim to our Pity, it cannot be necessary to plead with you: To re-place an Ideot, or a Lunatic, in the Scale of rational Beings, is little less than to create a Man; and to support those who are incurable, where they will neither fuffer corporal Misery themselves, nor inslict it upon others, is, at least, equal to any Work of Charity in our Power, with Respect to Perfons differently afflicted; I therefore move, that it be a Resolution of this Committee that the Sum of 10001. be granted towards the Support of St Patrick's Hospital, for Ideots and Lunatics, budged worth and hallimened

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Wr. in Judgment, and his public Spirit was the Question being put, it passed in the Cabric School and the Cabric School in the Cabric S

the raylog spoot she Will, and who made the

The Committee also granted a 500 l. to Messieurs Nessit and Company, for encouraging the Whale Fishery, on the North West Coast of Ireland, and the manufacturing the Bone and Blubber,

In the private Committee that had been appointed to examine the Petition the following Particulars appeared, which, though not reported, are too curious to be suppressed.

In the Year 1736, one Chaplain, a Lientenant in his Majesty's Forces, quartered at Gibraltar, who had been formerly employed in the Greenland Fishery, was informed by Captain Neshit, who was also quartered in that Garrison, that in the Spring of the Year many Whales frequented the North West Coast of Ireland, from Tyland-bead in the County of Donegal, to the Bay of Slige; Chaplain, being an enterprizing Man, sold his Commission soon after he had received this Information, and came to Ireland, with a View to fish for these Whales; he, accordingly,

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ingly, procured two Boats to be made upon the Model of those used in the Greenland Seas, and furnished himself with Harpoons, and other Instruments, but he was able to kill only two Whales in eight Years. As there were Whales in great Plenty on the Coast, he imputed his bad Success to the Want of a better Apparatus, which, not being able to purchase, he applied to Parliament for aid, and obtained a grant of 500 l. but dying before he received it, it was never paid. After his death his Brother pursued his Project, but with no better Success, for eight Years more, during which Time, he also killed two Whales, and then died.

In the Year 1759, Messieurs Thomas, and Andrew Neshit, Gentlemen who lived near Killibegs, on the Sea Coast of the County of Donegal, and who were very skilful in the Herring and other Fisheries, carried on there, seeing Whales in great Numbers, revived Chaplain's Undertaking, and took for granted, that he miscarried either for want of Money, or Perseverance. In this Project they engaged Messis Benson, and Irwin, Gentlemen of Credit and Property, and procured a Ship to be sitted up in the Greenland Way, with sive

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five Boats of a new Construction: They also procured Harpooners and other Persons, experienced in the Greenland Fishery, and in the Year 1760, they began to fish; but though they saw many Whales they were able to kill none. Mr Thomas Nesbit afterwards killed one large Whale with his own Hand, and as there was no Manusactory for the Bone or Blubber in this Kingdom, he sent it to London.

After procuring some Alterations and Improvements to be made in his Ship, he made another Attempt with five of the ablest and most skilful Harpooners he could get, and eight Boats extremely well provided, yet not a single Whale was killed that Season, though great Plenty were seen, and Opportunities of striking them often offered.

At length the Company having expended 3000l. in the Undertaking, it was discovered that the Method of Fishing, and Harpooning in Greenland, would not do in these Seas. In Greenland, the Water being always calm, the Boats are not agitated, so that the Harpooner is more sure of his stroke; and the Whale frequently bends his Head downward

in order to plunge under Water, which the Fishers call Backing, and which, straining and tightening the Skin, the Harpooner feizes that Instant to strike, and the Harpoon enters deeply, which it would not do if the Skin hung loofe over the Blubber. In these Seas, on the contrary, the Water is always rough, either by Wind, or a Swell, so that the Harpooner can take no Aim, and the Whale feldom backing, but lying extended on the Surface of the Water, with the Skin. loose and flaccid over the Fat, the Harpoon, though it reaches him with confiderable force, does not enter. Mr Nesbit, therefore, in order to give force to the Harpoon, and also to the Lances, which are discharged at the Fish every Time he rises after the Harpoon has entered, contrived to discharge both the Harpoon and Lance, from a fwivel Gun, which succeeded so well, that in the Year 1762, the Company killed three Whales, two of which were between 60 and 70 Feet long, and the other above fifty, and, in this Year 1763, they have killed two Whales of a large Size, which is more than many Ships have done, that have been fitted out for Greenland at a vast Expence.

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In this State of the Undertaking, they per titioned the Parliament for Aid, and this Committee granted them 1000 h as mentioned ed above. John Linew Maridw, Marida Status and Marida State of the Undertaking, they per the Undertaking, they per the Undertaking the

It is to be observed, that in the Sea off the Coast of Donegal; there are, besides the Whales, that yield only Bone and Blubber, the Finn-sish, the Porposse, the Sun-sish, and the Spermi-ceti-Whale, besides Seals. The Teeth of the Sperma-ceti Whale, are shaped like a Cucumber, and are about 18 Inches long; they are as white as Ivory, take a fine polish, and make very beautiful and durable Handles for Knives and Forks. The Sunsish is valuable for the Oil that is extracted from the Liver, each Fish yielding about a Ton; they are to be found all the Year, and are taken with great Ease; the other Fish, and the Seals are of little Value.

After some Time spent in the Committee, into which the House resolved itself to confider of the Supplies, the Speaker resumed the Chair, and Mr M—, the Chairman of the Committee, was ordered to make his Resport the next Morning.

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posed, that the Relation should the made

mierd TUESDAY, Nov. 22, 1763.

TWENTY THIRD DAY

THE R-t H-ble Mr A-M-,

Committee of the whole House, appointed to consider of the Supplies, and the Lord Licutenant's Speech, the following Resolution of each blood should be supplied to some state of the Supplies and the Lord Licutenant's Speech, the following Resolution of the same states are supplied to the same states and the same states are supplied to the same states are s

"That it is the Opinion of the Commit"tee, that a Sum not exceeding 521,161 L
"16 s. 6d. 4ths, was the Debt of the Na"tion at Lady Day, 1763."

Upon the reading of this Resolution, a-mong others, Mr W—C—, the Vice P—, observed, that if the House agreed to it as it stood, it would preclude any farther Enquiry into the Right of the Vice Treasurers to the Poundage upon the additional Supplies, which would be very improper, as a Suit in Equity was actually commenced to determine the Question, which plainly appeared to be doubtful, by the Steps that had been taken, as well by the Deputy Vice-Treasurer, as the Attorney-General; he, therefore, proposed

posed, that the Resolution should be made Conditional, so that the Public might obtain the Benefit of the 5000 l. claimed for Poundage, if the Suit should go on and be determined in its Favour.

Mr E-S- P- faid, he very much approved of what the Vice-P- had faid, and that he knew not how the Affair of the Poundage could be cognizable by a Court of Equity, after the House should have allowed the Claim of the Vice-Treasurer, by including it in the National Debt; and that, fuppoling the Resolution of the House not to preclude the Suit, it was possible that the Determination of the Court might be oppofite to that of the House, which would be an Incongruity that they ought to avoid. After re-capitulating some Arguments that had been before used on the Subject, he added. that it was absurd to suppose it to be the Spirit of any Law that the Distresses of the State should multiply themselves, and that the Public should pay a greater Sum to their Servants merely because the Necessity of Affairs obliged them to pay a greater Sum for the Exigencies of the State. The Fees of the Vice-Treasurer, he said, without the Poundage

DAY XXIII.] Affairs of IRELAND. 419 dage upon additional Duties, amounted to more than their Trust, and their Services deserved; but that, not to enter into the Merits of the Question, he would only second the Motion for an Amendment, to render the Resolution conditional.

The Question being then put for the Amendment, it passed in the Affirmative, and the House came to the following Resolution.

"That it is Opinion of this Committee, that a Sum not exceeding 521,161 l. 16 s, 6d. 4ths, was the Debt of the Nation at Lady-Day, 1763; provided Credit is not to be allowed to the Nation for 5000 l, claimed by the Vice-Treasurers, on Account of Pees."

The following Resolution of the Committee of Supplies was also read. "That it is "the Opinion of this Committee that the "Sum of 5000 l. be granted to the Corporation for promoting and carrying on an in-"land Navigation in Ireland, towards making "the River Shannon Navigable from the City, and Port of Limerick, to the Town of E e "Killaloo,"

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Mr E- S-P- then faid, that it had appeared to the Committee, upon the strictes Enquiry, that the Navigation of the River Shannon, from Limerick to Killaloo, was one of the most useful in the Kingdom; that the River was no less than 130 Miles long, that it ran through the most fertile and populous Parts of the Country, and paffed by very con-That the private Commitfiderable Towns. tee, therefore, was of Opinion, that 6000 % was a reasonable Aid towards compleating the Navigation of that River; that, he asked, however, but 5000 1. which Sum was granted in the Committee of Supplies, but that now, he would be content with 4000 l.

Mr. P— T—, the A. G. faid, that the Sum, which by the Resolutions of the Committee of Supplies was to be paid to the Undertakers of public Works, of various Kinds, amounted to no less than 126,000 L, and that if a more considerable Deduction was not made, than was now proposed, with Respect to this Article, the Scheme of Oeconomy, which had been lain down and enforced

forced, with fo much Propriety and Bnergy, could not be carried into Execution that the public Deby would increase, the Reduction of which had been expressly recommended from the Throne, and, in Time of Peace, was our highest Interests and most indispenfible Duty! He added, that the Diffresses for justly complained of were owing to the very Errors they were now going to repeat ; for that the Difficulties, the Nation was other Aruggling with arose from the excessive Grants, which had taken Place fince the Year 1753, for public Works, amounting to no less than 400,000 L. If there was a Surplus in the Treasury, he faid, the Money lought to be granted with Rrugality, and Circumspection, but that still greater Cantion and Occonomy were necessary, when they were to borrow the Money granted upon Interest, he could fay on the Subject would have little

My D. Ohe faids in reply, that though he admitted the great Weight of the National Debts and the bad Confequences that must arise from its Increase, yet he could by no Means concur with the honourable Gentleman, in supposing it a Reason for not granting Sums to improve the Country, with Respect to its Commerce and Manufactures, these

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Debates relative to the [DAY XXIII. these Grants, he faid, immediately, tended to lessen the National Debt, and not to encrease it; and, instead of being considered under the Article of Expences, they should be estimated as Money laid out in Trade, from which a Profit would accrue. There was no Nation in the World, he faid, that was fo capable of Improvement from its Situation, Climate, Soil, and Rivers, and that it wanted nothing but Population, Manufactures, and Commerce, to make it one of the most floud rishing Countries in the World of the Money already laid out for these Purposes had brought in, he faid, thirty per Cent, and that as Profit was necessary, as well as Occonomy, to counter-ballance the Drains of Penfions and Absentees, he hoped the Business of the Day would be transacted, with a View to that Principle but he ladded, that he feared all he could fay on the Subject would have little Effect, for that the Bufiness of the Day had been already fettled in another Place a Here be made a Paule and, then added, in the Committee of Supplies I am more shing

Mr P.— T.—, the A.G. faid, he was in Hopes, that if the Improvements were for great as had been represented, they would foon

Means concur with the honourable Course.

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foon enable the Parliament to grant liberally to farther Improvements, but that, for his own Party he had not sufficient Evidence of the good Effects of the Money laid out already, to think a Grant of the very high Demands now made a prudent Step. The Surplus, in the Treasury, he faid, which had been fo often mentioned, arose from the accidental Circumstance of fourteen Regiments being fent out of the Kingdom during the last War, and put upon the English Establishment, and that his Majesty was then graciously pleased to permit a very great Part of this Saving to be laid out for the Improvement of the Country, but that, in his Opinion, it was improper to apply the Revenues of the Crown to fuch Purpose, if there was the least Danger that the Supplies necessary for the Exigencies of Government should fall short, which, he said, whatever might be pretended to the contrary, must bring the Country into Debt. Application of public Money to these supposed Improvements, never came into the Contemplation of Parliament, he faid, when the hereditary Revenue, was established, not in the Year 1727, when the additional Duties were granted, which had not fince been encreafed. He observed, therefore, that those Benefit:

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Revenues were originally provided for the Exigencies of Government, and that the Alienation of them to other Purposes was a new Thing: He added, that there was great Incomfiftency in complaining of an Establishment as an insupportable Burthen, and, at the fame Time, lavishing away enormous Sums, ofor the Gratification of Gentlemen in particular Counties; for that he could not help confidering many of the supposed public Works wholly in that Light, As to Things being fettled in another Place, fays he, I know not what it means , I observed, a very remarkable Paule, made by the honourable Gentleman who used the Expression, before he added the Words, Committee of Supplies, and I should be forry to think it was intended as an Impeachment of the Integrity, or Independancy of Parliament of which that Gentleman has the Honourgo bein Member. must bring the Country into Debt. The

Mr Em San Policy replied, that he was extremely supprized to find that those livery Centlemen, who were Advocates for sending large Sums out of the Country in Peblicus, and argued against an Enquiry into that abuse, were the only Opposers of a reasonable Appropriation of the public Money to the public Benefit;

Benefit; it was, he said, a strange Inconsistency of Character, to countenance Profusion for bad Purposes, and Parsimony for good.

The A. G. answered, that no Man could have acted with greater Consistency than himself; that he always thought it his Duty, and the Duty of every Member of that House, to support his Majesty's usual Establishment out of the Revenues of the Crown appropriated to that Purpose, and that there was not the least Colour of Right, or Justice, in suffering new and uncommon Demands to incumber the Nation with a public Debt; he concluded, by saying, that he had the Satisfaction to find a very large Majority of the House of the same Opinion, and, therefore, he hoped 2500 L being half the Sum demanded, would be thought sufficient,

A Motion being made, and the Question put, that the Resolution of the Committee of Supplies, for granting 5000 l, to make the Shannon Navigable, from Limerick to Killaloo, be amended by expunging the Words five thousand, and inserting the Words two thousand five bundred in their stead; it was carried in the Assirmative.

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Another Resolution of the Committee of Supplies, reported this Day to the House:

"That it is the Opinion of this Commit"tee, that 10,000 l. be given to the Corporal
"tion of Dablin, for carrying on the Grand
"Canal from that City, through the Bog of
"Allen, to the River Shannon, to be by them
"accounted for to Parliament.

In support of this Resolution it was strongly urged by Dr L_, that no Part of the inland Navigation of the Kingdom was fo important, or fo near being compleated as this, which, if proper Affistance was given, would, In a short Time, supply the Capital with a fufficiency of Water, which was very much wanted, and with plenty of Turf from the Bog of Allen, which was the properest Fuel for the Poor, and would encourage and support many Manufactures, which, without plenty of cheap Firing could not be carried on; he observed, also, that there were many fine Quarries of Stone along the Banks of that Canal, from which Stone might be conveyed to the City at a very moderate Rate. But, upon the Question's being puty this Refolution

DAY XXIII Affairs of TRELAND folution was amended, by fubfituting the Words fix thousand, instead of the Words Confequence, but that as Rieductiobnahuodt not made in other Grants, he should follow the

Another Resolution of the Committee of Supplies reported this Day to the House ow

"That it is the Opinion of this Commit-" tee, that a Sum of 4000 A be granted for " making the River Bandon Navigable from "Inifhannon to Dunmanway I am ont shuoli ing deemed a new Works was a see all

Mr T- A- faid, that he hoped this would not be confidered as a new Work, as a parliamentary Aid had been intended for it many Years ago; and, if it was confidered as a new Work, he faid, he hoped it might be excepted out of the general Refolution, to grant no Aids to fuch Works, on account of its fingular Utility ; the Town of Brandon, he faid, differed in two Particulars from every other Town in his Majesty's Dominions, being the most populous for the Ground on which it flood, and not having a fingle Roman Catbolic in the whole Corporation if He added, that if the Navigation of the River Brandon was improved, it would extend and encrease the Linen Manufactory, the Encoumont la

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ragement of which, in the South of Incland, was universally allowed to be of the highest Consequence, but that as Reductions had been made in other Grants, he should follow the Example, and therefore moved, that the Words four thousand should be expunged, and two thousand inserted in their Room.

but so amended was disagreed to by the House, the making the Bandon Navigable being deemed a new Work.

Another Resolution of the Committee of Supplies, reported this Day to the House;

"That it is the Opinion of this Commit"tee, that 1000 l. be granted for finishing the
"Cathedral and parochial Church of St. Pa"trick's Rack, and St. Jahn the Baptiff.
"Cashell."

sin W O faid, char though he had mowed for Caffel, and 1000 l, had been granted in the Committee, yet he had no Power to compound for a less sum, as he was not even a free Man of the City, nor had a Foot of Land near it that could receive any Profit from from encouraging the Protestant Religion, by keeping up the Metropolitan Church of the Diocese, and preserving the Decency of religious Worthip, without which it would necessarily fall into Contempt. He had spoken fully to the Subject in the Committee, and, therefore, should now leave it entirely to the House, without giving it any farther Trouble,

The Resolution was disagreed to by the House.

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"That it is the Opinion of the Commit"tee, that 4,000 l, be given towards making
"the River Barrow navigable from St Mul"lins, to Monasterevan, in Kildare."

The R—t H—ble W— B— faid, that, as he could not but commend the Spirit of Oeconomy that prevailed in the House, he would, notwithstanding the Extensiveness of the Navigation proposed, and the Populoufness of the Country through which it was to be carried, be content with 1,500 l instead of 4,000 l. 100 bights and the Populoufness of the Country through which it was to be carried, be content with 1,500 l instead of 4,000 l. 100 bights and the Populoufness of the Country through which it was to be carried, be content with 1,500 l instead of 4,000 l.

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The Alteration being made accordingly, the House agreed to the Resolution.

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Another Resolution : Moon mon

"That it is the Opinion of the Commit"tee that 4,000 l. be given towards making
"the River Nore navigable, from Kilkenny to
"Inisteague."

Mr. R.— M.— faid, that he would be contented with 1500 l. for this Purpose, as it was a new Work.

The Alteration being made the House agreed to the Resolution.

Another Resolution:

"That it is the Opinion of this Committee, that 4,000 /. be granted for clearing and improving the Channel of Gork Harbour, from the Custom-House Key, to the

Secondary that prevail in Black Rock." Indiana that was one

Mr J— H— H—, the P.S. said, that, in the Absence of a noble Lord, he was commissioned to consent that the Sum of 4000 l. asked for Cork Harbour, should be reduced to 1500 l. and that, as it was of great Importance to a Town so considerable for Trade, he hoped that Sum would not be thought unreasonable.

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Major St 7 - 7 - faid, he had no Object tion to the Sum, nor any Doubt of the Utility of the Work, supposing it to be effected, but that he doubted whether it was practicable, being of Opinion that what had been done already had only rendered the Harbour worfe. He observed, that two navigable Rivers run into the Slough, on each Side of the Harbour, and that the Persons who undertook the Work, had totally neglected the Advantage offered them by these Rivers, and had cut a new Canal in the Middle of the Slough, which totally obstructed the Navigation, it being impossible for any Ship to go up where Ships had been used to go up before. I saw myself, faid he, very lately, two Vessels attempt it, which flruck in the Passage, and received confiderable Damage. He did not however, doubt the Integrity of the Gentleman, who had been entrufted with the Money, but was of Opinion that the Person employed as Engineer had mistaken the Method of laying it out. with a make to to the total of their Debuis the substitution of the kidekt.

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Mr H S replied, that he was perfuaded, from a thorough Knowledge of the Work, that it would be impossible to carry it

422 Debates melative to the [DAWXXIII] to Perfection by any other Way than that, which after long Deliberation, had been contoived I that the linking the Channels of the River had been attempted without Success, for both of them being forpentine, and thatlow, there was not Water fufficient to carry off the Sludge which always gathered in the Bends, and fillet up the Channelli that they were now endeavouring to fink the Charinel, in a frait-Line obetween the Rivers and to drawn the AWater of sboth into it, the whited Force of which, it was hopedy twould be fulficient to clear astay all Obstructions.) He added that, in Works of this Kindono Adw vantage could be expected till the whole was Ships had been uled to go up beschestaffmos myfelf, faid he, very lately, two Veffels at-

bothe Resolution was then amended by income forting a root to intended to book and a root to be center of the Center of the Center

man, who headitulolas and the Mo-

That it is the Opinion of the Commitetee, that 1000 l. be given to re-build the "Church of St John, Dublin: "I garant lo

Mr y Gal, the Ran of D., then faid, that the Church was in Fifth-shamble Sover, thear the Center of the City, and in formal nous

DAY XXIII. Affairs of IRBLAND 433 nous a Condition, that its was in Danger of falling, and instead of being a proper Place for the Worlhip of God, was a Nuisance; that the Parish was very poor, and, therefore, he hoped this Grant would be confirmed.

« Care they take Raby ut it 1 M hy your very

The Anhabitants, Sir, of ithis Parish, are very poor, and, whoever doubts it, may have the fullest Conviction of its Truth, by only walking through Smock Alley, and Copper-Alley. They are, indeed, almost all Protes tants, but I cannot say that they " adorn the " Doctine they profess; they are not the most virtuous People in the World; they are not the " whole who need not a Phylician. but the fick it and therefore at is more he ceffary they mould have a decem Place of Workip, where their Ducy, will not only be taught, but enforced. Popery, Sir, is a very good Religion for bad Livers, it enables them to ballance Accounts by Confession and Penance, and procures a domfortable Discharge of their Debts in the Absolution of the Priest. These People, therefore, will, at least, be inclined to wish that Popely was true, and their Roman Catholie Neighbours will have a very good

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Debates relative to the [DAY XXIII. good Opportunity to infinuate, that the Government itself does not believe the Religion it has established by Law, or, at least, is altogether negligent about it, and You may fee, " Sir, fay they, what Faith the Protestants "themselves have in their Religion, by the " Care they take about it. Why your very "Church is ready to fall about your Ears; come along with us, we have an Attention s to God and to our Religion; we believe it will, indeed, avail us to Salvation; we have ca good Mass-House to receive you, where Religious Worship is performed with a De-"cency and Solemnity that shew we are in earnest about it." If weak Minds, Sir, were to be influenced by fuch Arguments, could any Man of better Understanding wonder? and can we expose our fellow-Subjects to such Danger, rather than spare a Sum necessary to fave them from it, by repairing their Church? taught, but enforced. Popery, Si. Is a very

ferting the Words on Account of the Inability of the Inhabitants; and agreed to by the House,

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"That it is the Opinion of this Committee, that 12,000 L be given for promoting "English This Resolution caused a short Debate; those that opposed the Grant did not deny the Utility of the Institution to which it was made, but strongly urged the Inability of the Nation to spare so large a Sum.

Those that supported the Grant, urged that such a Saving should be made, in other Articles as would enable the House to grant this, without Diminution, for the following Reafons:

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ng ilb That the Encouragement of this Institution had been recommended by his Majesty, as an Object worthy the greatest Attention, in the very Speech in which he also recommends such an Occonomy as might provide for the Payment of the National Debt,

That nothing could be of so great Importance as the general Diffusion of rational Religion, and the forming Habits of Virtue and Industry in that Part of the rising Generation that would otherwise be vicious and idle.

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That

436 Debates relative to the [DAY XXIII.

That the present Situation of Affairs in Ireland made an Attention to these Objects particularly necessary.

That very confiderable Benefactions to the Charity were made from England, as well by his Majesty's Bounty, as private Donations; that, on this Account, it was expedient to keep up a just Idea of its Utility.

And that, refuling or stinting Parliamentary Aid, might raise Doubts concerning its real Tendency, and the Integrity of its Managers, and, consequently, might check the Contributions which had hitherto been so liberally made. I still to manageriscon I add and T

A Motion was then made, and the Question put, that the Resolution be amended by expunging the Words twelve Thousand, and inserting the Words eight Thousand in their Stead.

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It passed in the Negative by a great Majority. (See the Speech of R-F-, in the Debates of Day IV. p. 60.)

A Resolution to grant 7762 l. 16s. 3 d. for

DAY XXIII.] 'Affairs of IRELAND: 437
the Bally Castle Colliery, was amended by reducing the Grant to 3000 1.

This produced some Debate, but the Topics having been totally exhausted before, it could not be inserted without unnecessary and disgusting Repetitions *.

A Resolution to grant 2000 I. to the Dublin Society for encouraging Agriculture, Arts, and Manufactures, by Premiums, was agreed to.

Another Resolution :

"That it is the Opinion of this Commit"tee that a Sum of 8000 l. be granted to the
"Dublin Society for the encouraging such
"Trades and Manufactures, in such Manner,
"and under such Regulations, as shall be di"rected by Parliament."

Mr R. Fr moved, that the House should agree to this Resolution; upon which Mr P. T. the A. G. spoke to the following Effect to the following

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Mr

^{*} See the Debate on this Subject on the XXth Day.

Mr P-To, the A. G. ord Bridge

I cannot help thinking, Sir, that 8000 1, is too large a Sum to be appropriated to we know not what. No Plan, or Scheme, has yet been laid before us for the Distribution of this Sum fo as to answer adequate Purposes; it is faid, in general, that the Money is to be distributed for Encouraging such Undertakings, and in such a Manner as we shall direct; but I think it will be extreamly difficult to afcertain the Quantity and Quality of Goods brought to Market, which shall entitle the Owners, or Manufacturers, to Part of this Sum, as a Premium; nor do I fee how the Sum, now moved for, differs from the Sum of 2000 1. just granted to the Society, as an Aid to their Premiums. If, inflead of that 2000/. we grant 4000l. and disagree to this Resolution, I think we shall have done our Part towards promoting the Views of the Society. I know it will be faid; that the 8000! now follicited is to be in lieu of the Sums that we have been used to grant to particular Manufacturers, but how particular Manufacturers, to whom we might otherwise have granted Premiums, will be benefited by this 8000 l. I cannot discover.

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Dr L

I am very forry, Sir, that the learned and public-spirited Gentleman, who proposed this Grant *, is not here to enforce and support it, by shewing, with that Energy and Perspicuity which always distinguish him, the useful Purposes it will answer. But, for my own Part, Sir, I cannot think that the Appropriation of a certain Sum to the Encouragement of Arts and Manufactures, in such a Manner as the Parliament, when the Matter comes under Confideration shall see fit, can reasonably be opposed, because we have not come to a Determination on what, and in what Manner to bestow it already. Will any Gentleman say that Trade, Agriculture, and Manufactures, are not to be encouraged at all? If they are to be encouraged, we must either grant Aids to particular Persons, or we must grant Premiums for fuch as shall appear to excel: Now, Sir, it has, and, I think, with great Judgment, been determined, by the House, that Aids should not be granted to particular Perfons, who have too often applied the Money

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^{*} See the Speech of Mr E-S-P-, in the Debates of the twenty-first Day. the fame Person there be benefitted by the

240 Debates relative to the [DAY XXIII.

to Purposes very different from those for which it was granted; and, therefore, if Arts and Manufactures are to be encouraged at all, it must be by Premiums to those who excel; this will excite a general Emulation, and will be an Advantage to thole only who have done what Aids to particular Persons were granted The honourable Gentleman has to do. thought fit to fay, that he cannot discover how the Sum that is now proposed to be granted in lieu of Aids, can benefit the particular Persons to whom such Alds would have been granted, if their Petitions had not been rejected; and, I hope, he will excuse me if I fay it is of no Confequence whether he difcovers it or not, or whether what he cannot discover is or is not a Fact. Our Money, Sir, is granted in a National View, not as a Benefit to particular Persons, but to the Public, It is given to encourage Arts, and it is of no Confequence who fulfills the Condition, provided we fee the Condition fulfilled before we give it. The Faith of the House is, in my Opinion, pledged not to Individuals, but to the Nation; and when we refused to grant Aids to particular Persons, and agreed to grant Premiums in their stead, we did not engage that the same Person should be benefitted by the Premi-

Affairs of IRELAND. DAY XXIII. Premium, that would have been benefitted by the Aid and the Alteration in our Mode of granting Encouragement to Arts, proves, that we did not intend he should, except he deserved it, and, if he deferves it, he necessarily will be benefitted, because he that deserves a Premium will receive it. If it is necessary, therefore, to encourage the Arts by parliamentary Affistance, and if, after our late Resolution, it can be done only by Premiums, I think 8000 l. as little as we can appropriate to that important Purpole. I am fure, when we thought the Arts encouraged by Aids to particular Persons, we gave much larger Sums, and why we should give less, when the Money cannot be misapplied, than we did when it was liable to Milapplication, I in my turn, cannot discover Give me leave now, Sir, to remark, as not altogether improper, in a Reply to that honourable Gentleman, that the Dublin Society deferves the particular Attention of this House, and that there ought to be a certain Confidence placed in it, with refpect to the Disposal of Money, because the Dublin Society, Sir, has the Honour to be a Penfioner to his Majetty and though it should be supposed to have no Merit, yet its being a Pensioner should alone, according to Ff4 fome ! tion

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fome Principles that have been lately advanced, render it an Object of the Attention and Support of this House.

The A—G— replied, that as the Grant of Money, by Way of Premium, was underflood to be the Intention of the House, when the Petitions of Manufacturers were rejected, and as the Faith of the House was supposed to be plighted, he would not object to the Sum.

The Question being then put, the Resolution was agreed to by the House, without Amendment.

we thought side left when the No-

The House agreed to the Resolution for granting 1000 l. to St Patrick's Hospital, to maintain a greater Number of Patients. (See Sir R — D—'s Speech, in the 22d Day.)

A Resolution to grant 1600 l. for widening the Key of Lendenderry, was disagreed to by the House in the solution and solutions and

frech to the Difficult of Money, because the

The Resolution to grant Mest. Neshitts 1 500 l. to extend and improve the Whale-Fishery, and manufacture the Bones and Blubber, being read, it was objected to, and a Motion

DAY XXIII.] Affairs of IRBLAND. 443
tion made to expunge the Word five Hundred; upon which Mr W + B - spoke to
the following Effect:

from the fame Portal Briefand

I am very forry, Sir, to bear an Objection made to this Grant for the Encouragement of a Fishery, and Manufacture, which are of very great Importance to the Public. In the first Place, Sir, the Oil, and Bone, of the Whales taken on this Coast, are superior in Quality to the Oil and Bone of those taken in the Seas of Greenland; and there are few Things more necessary, or of more general Consumption, than the Product of the Whale Fishery in general; the Oil is used for the dreffing of Leather, and Wool, as well as for public Lamps, and many other Purposes, which it would be endless to enumerate; the Uses of the Bone also are very numerous, and an excellent Glue is made of the Blubber, after the Oil has been extracted. It appears by the Custom-House Books, that in the Year 1761, there were no less than 99,080 Gallons of Whale or Train Oil, imported at Dublin from Holland; this Import which proves the Confumption of the Commodity

444 Debates relative to the [DAY XXIII. to be very confiderable, is a great Nation nal Loss; and England is also a great Lofer by Importing the fame Commodity from the same Ports; England, indeed, is fo fensible of this, that she has given greater Encouragement to the Whale-Fishery than to any other Branch of Commerce: Every Ship that is fitted out from England, for the Greenland Fishery, and makes the Voyage, is at her Return intitled to a Premium of 40 s. a Tun, whether she brings home any Whale or not, and, in Time of War? the Crews of all the Greenland Ships have a Protection, which secures them from being pressed into the Government's Service; and, shall we, who are equally interested in this Trade, be supine and negligent Spectators of the Efforts of a private Company, to establish it on our own Coasts, and not affist them with fo small a Sum as 1500 /? But the Fishery is not the only Object; when a Whale has been caught upon our Coasts we have been obliged to fend the Bone and Blubber to Liverpool, and London, to be manufactured; which is always attended with great Expence, and Inconvenience, especially as the English, who consider us as their Rivals in this Fishery, charge us very high; but if we

DAY XXIII.] Affairs of TRELAND. 445 encourage the Undertaking in Queltion, we shall be able to manufacture the Bone and Blubber ourselves, and, perhaps, to furnish England herself with those Commodities, which will be a confiderable Benefit to her, as well as to us; for it would be taking just fo much Trade from her Rival the Dutch, and furnishing her with the same Commodities at a cheaper Rate, as Labour is cheaper with us, and we shall have a less Distance to carry the Commodity, as well from the Place where it is catched, to that where it is manufactured, as from the Place where it is manufactured to Market; as a Friend, therefore, to both Kingdoms, for he that does not confider their Interests as inseperable, is a Friend to neither, I must strongly recommend the Confirmation of this Grant without Diminution. Heen very zenlous to r

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The Question being then put, whether the Resolution should be amended by expunging the Word five bundred, it passed in the Affirmative, and the Resolution was agreed to by the House.

The House resolved, that the Supply granted to his Majesty should be a Sum not

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446 Debates relative to the [DAY XXIII. exceeding 1,168,167 l. 2 s. 6 d. (See the Motion for a Supply, page 66.)

The Resolutions of the Committee of Supplies, having been all reported and considered, and very great Deductions having been made from several Grants, not particularly mentioned above, for which Deduction the A. G. was always an Advocate, Dr C— L—got up, and spoke to the following Effect:

salid sal mort Dr C-L-

I cannot but highly commend that vigilant Attention to the public Treasure, and that Spirit of public Occonomy, which have fo eminently distinguished the Gentleman on the Floor over against me this Day; neither can I help expressing my Concern and Surprize that he should stop short. He has been very zealous to prevent the laying out public Money, in the Improvement of the Country, but he has very quietly acquiefced in its being squandered away in Pensions to Foreigners; nay he has not been less eloquent as an Advocate for this Expence than as an Adversary to the other; as I had no reason to expect so uncommon an Inconsistency of Conduct, I did not think it would have fallen

DAY XXIII.] Affairs of IRELAND. fallen to my share, to move, as I now do, That 25,000 /. be struck off the List of Penfions; I flatter myself, that every Gentleman present will chearfully concur in this Motion, at least every Gentleman who has diftinguished himself in favour of Occonomy, and that, as it is evident the Nation will be a Gainer, it is not necessary to enquire who will be Lofers; except three or four, I believe they are all equally undeferving, and, if the whole Reduction was to fall upon the Pensioners of this House, there would be no Reason to regret it, for it would certainly be better for the Constitution, if no Man in it had either Pension, or Place. I should, indeed, be forry to have it thought necessary, upon this Occasion, to enquire who the Penfioners are, because, I believe it would puzzle! the most knowing Man in the Kingdom to tell us; the very finding them out, to remit them their Money is attended with Difficulty and Trouble, and I cannot help confidering many of them as not having fo much as a Name. Many are Aliens, and the granting Pensions to Aliens is what I never can be re-There is a great Prince to conciled to. whom a Present was made of 20,000 l, because he could not be a Pensioner upon England

land, by the Laws of the Country; for this Prince, Sir, I have a very great Regard, yet I cannot conceive why, it being unlawful for him to receive a Pension out of one Part of the King's Dominions, it should be thought expedient for him to receive a Pension out of another.

Mr P-T-, the A. G. said, in reply, that he thought it very extraordinary to be called upon in this Manner, and that he wondered the honourable Member should suppose, or pretend to suppose, that he intended to make a Motion of this Kind, when he had constantly and uniformly declared, that the King's Establishment ought to be supported out of the Crown Revenues, and after a very large Majority had declared in savour of it.

The R-t H-ble Mr A- Mr, who had been Chairman of the Gommittee of Supplies, said, that he believed it would have been contrary to Rule, to have made such a Motion in that Committee, as it would have been foreign to the Business, for which it was appointed.

Mr H Tao faid, that however avente he might

DAY XXIII.] Affairs of IRELAND. 449 might be to Penfions, both with Respect to their Illegality, and the improper Application of them, he could not think this a fit Question, and, therefore, hoped the honourable Gentleman would withdraw it, especially as it was intended to move for an Address to his Majesty, on the Subject; though he could not help faying, he wished his Majesty's Speech had been observed with Respect to Occoromy, as well in one Particular as and lency promifed to transmit forthwirth, isth

Mr T_Le-H_ fpoke to Order, and mentioned the Impropriety of the Question; though, he faid, no Man could be more an Enemy to Pentions than himself.

then being relolved into a Committee of

Upon this, Dr L- withdrew his Motion.

Refolved, that to-morrow Morning, the House will resolve itself into a Committee, to confider of Ways and Means to raise the Supply. hope, will have that good Effect.

thirty Callons; and the additional Duty is two Shillings to that the whole Abaty or

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recitary Duty on Scoug Beer and Ale, in this Kingdom is two Shillings and Six pence -CIEW, each Barrel containing two and

reditary Duty on

then Hiegality, and the improper Applica-

WEDNESDAY, Nov. 23, 1763 not

TWENTY-FOURTH DAY.

THE House attended his Excellency the Lord Lieutenant with the Address of Thanks to his Majesty, which his Excellency promised to transmit forthwith, and then being resolved into a Committee of Ways and Means, Mr E—S—P— spoke as follows:

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As nothing can conduce to the Improvement and Advantage of this Kingdom in particular, and to the Strength and Support of his Majesty's Dominions in general, more than the Encouragement of our home Manufactures, I shall propose something, which, I hope, will have that good Effect. The hereditary Duty on Strong Beer, and Ale, in this Kingdom, is two Shillings and Six pence a Barrel, each Barrel containing two and thirty Gallons; and the additional Duty is two Shillings, so that the whole Duty on

DAY XXIV.] Affairs of IRELAND. two and thirty Gallons is four Shillings and Six-pence. But it is well known, that there is a Species of Strong-Beer, called Porter, which we import from England, that pays no more Duty than one Shilling for every two and thirty Gallons; now it is clear, that in Proportion as the Importation of Porter encreases, the Consumption of our home made Beer and Ale must decrease, and that for every Barrel of Porter that is drunk here, instead of a Barrel of home made Liquor, the Revenue suffers a loss of three Shillings and Six-pence. It is well known that the Importation of Porter is increasing every Day, and that, confequently, the Revenue, in this Article, is every Day diminish-Now, Sir, if a Tax should be laid upon Porter, equivalent to the Tax on home made Beer, and Ale, it would prevent the Decrease of the Revenue, but, as Porter would probably be still imported, it would still lessen the Confumption of our Home-brewed, and thus affect many Branches of Trade that depend upon the Brewery; and, if a Tax should be laid upon Porter, To heavy as should amount to a Prohibition, we should, in a great Meafure, be deprived of a wholesome and pleasant Liquor, which, by many People, is preferred, Gg even

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Debates relative to the [DAY XXIV. even to Wine. What I propose, therefore, is, that we should improve the present prevailing Inclination for Porter to our own Advantage, by giving fuch an Encouragement, to the making of it here, as will, at length, preclude the Importation of it from England, by carrying this Branch of Bufiness to the same Perfection among us, as it is arrived at on the other Side of the Water, and, consequently, improve not only many Mapufactures, but Agriculture itself, and ultimately, encrease the Revenue; for this Purpole, I would recommend a Resolution to this Committee, that all Porter, brewed in this Kingdom, shall be Duty free. every Day duninifin-

moun his Mr Por T+, the A. G.

There is I believe no Person in this House more sensible of the Advantages that arise from the Encouragement of Manufactures and Agriculture, than myself, nor more sincerely desirous of procuring them, but I think more Evil will follow from the Resolution proposed than Good. I must also consider the Support of the Crown, and the Advantage of this Country as effentially united, and though the Resolution may tend to savour Agri-

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DAY XXIV.] Affairs of laboand.

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Agriculture, and the Manufactures which depend on the Brewery, it must certainly, at least for a considerable Time, greatly diminish the Revenue. The honourable Gentleman has observed, that it may ultimately encrease it, but this is at best a remote Contingency, and the Disadvantage is immediate, and certain; if we encourage the Brewing of Porter here, by making it Duty-free, we fhall certainly leffen the Confumption of other Beer, and Ale, which pays 4 5, 6 d. for every two and thirty Gallons, much more than it is leffened by the Importation of Porter from England, and we shall, besides, lose the Shilling a Barrel which is paid for that Liquor; this will be the Cafe in a great Meafure, suppose Irish Porter should not be so good as English; but, supposing the bonourable Gentleman's Project should perfectly fucceed, and we should brew as good Porter as our Neighbours, the Difference to the Revenue will be immente, for, as be justly obferves, the Tafte for Porter, in Preference to other Malt Liquor, is leeting Ground every Day, with the united Affistance of Appetite and Fathion, and we know very well, that Fastrion alone has produced a factitions Appetite for many Things, extreamly disagree-

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able

454 Debates relative to the DAY XXIV. able to untutored Nature, and, confequently, produced a very great Confumption of fuch Articles. But I apprehend, Sir, that, if the Resolution proposed was eligible, in other Respects, it would prepare the Way for great Frauds and Abuse, and be productive of endless Litigation and Disputes, between the Brewers, and the Officers of the Revenue. The Revenue Officers would certainly find it extremely difficult to distinguish what Beer should be called Porter, and what should come under another Denomination I dare fay there are many Parts of this Kingdom, where there is not a fingle Person that could make the Distinction, and that there are great Numbers in this City, who would experience the same Inability, the Brewers and Publicans would certainly take Advantage of this; for, I am forry to fay, that Persons, otherwise honest in their Principles and Dealings, make no Scruple of defrauding the Crown, not confidering, that the Supplies granted to the Crown, are to be laid out for the common Benefit, and that the Fair Trader must always make good the Deficiencies that arise from the illicit Practices of others; this, however, being the Cale, I dare fay, that, if the Refolution proposed should be agreed to, there would

DAY XXIV.] Affairs of IRELAND. 455 would not, in a short Time, be a Brewer or Publican in the Kingdom, that would make or sell Malt Liquor of any other Denomination than Small Beer, and Porter. It is, therefore, easy to see that one of the most considerable Branches of the Revenue would be in a manner cut off, with all the complicated Mischiess of Fraud, Litigation, and Perjury. I should, therefore, be glad if some less exceptionable and more effectual Method could be found for effecting the good Purposes, which I am sure were intended by the honourable Gentleman, who recommended the Resolution, for whose Integrity, and Public

Mr 7- H- H-, the P. S.

Spirit I have the highest Regard.

Though nobody can be more unwilling to tamper with the King's Revenues, in so essential a Point as the Excise upon Beer than myself, yet, I must confess, I am strongly inclined to the Motion proposed by my honourable Friend, from a sull Conviction of its Utility and Importance, as well with Respect to a considerable Article of internal Trade, as to the Revenue of the Crown. If the Exemption of Porter from Duty was to be

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456 Debates relative to the [DAY XXIV. perpetual, it would, indeed, greatly leffen the Revenue arising from the Duty on other Malt Liquor; but if this Exemption is continued only till Porter of our own Manufacture is brought to fuch Perfection as to supercede that which is now imported, and increase the Consumption of Mak Liquor in general, it will certainly enhance the Revenue and the Advantages procured to the Public, by favouring Agriculture, and the Sale of a home made Commodity, are too manifest to be controverted. If Porter brewed here flould be exempted from Duty two Years, I do not fee how any bad Confequences can enfue; and, if it is not exempted from Duty, I do not fee how we can ever hope to make it here. Who will buy home made Porter, when they can import it from England at 3 s. 6 d. less Duty per Barrel ? And who will undertake to brew it here when there is fo little chance of a Market? The brewing of Porter here, will at all Events be attended with many Difficulties, and Difadvantages; this Liquot is not fit to drink in less than a Year after it is brewed, and, as the Brewing Trade is here divided among a great Number of Hands, there are few who can afford to be fo long out of their Money, and still fewer who

can

DAY XXIV. Affairs of IRELAND. can afford to buy a fufficient Number of Calks to keep a competent Stock of it for long in Hand; the brewing of this Liquor is alfoa Secret, to that of the few who could afford to make the Experiment, there is, perhaps, but one who knows how it is be made: And yet, if Porter is not made here, nothing can be more certain, than that, instead of drinking a Malt Liquot that pays a Duty of 41.6d. a Barrel, we shall drink that which pays but a Shilling, and, instead of increasing a useful Manufacture, and improving Agriculture, we shall give a Check to both, and reduce the Price of Land, and deprive Industry of Employment. But if the Manufacture is once established, by means of the Encouragement which it receives from a temporary Exemption from Duty, it may pay the same Tax as other Beer, fo that the Revenue will gain 3 s. 6 d. by every Barrel of Porter that is drank, the Confumption of Malt Liquor will encrease, a useful Manufacture, and Agriculture will be promoted, Lands will rife in

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their Value, and many that would otherwise be idle will be employed; but, admitting this to be eligible, we are told that it is impracticable, because the Difference between Porter and other Beer can never be ascertained. I

458 Debates relative to the [DAY XXIV. think, however, that the Difference between Porter and other Beer, is greater than between Small-Beer and Strong; and that it cannot be more difficult to distinguish between Porter, and other Malt Liquor here, than in England. Now, between small Beer and Strong we do diffinguish, and the Business goes on between the Brewer, and the Exciseman, without either Fraud, Perjury, or Litigation. The Brewer tells the Excileman how much Small and Strong Beer he intends to make, and the Exciseman proceeds to gauge the Quantities, to fee that the Brewer has made them in Proportions corresponding to his Declaration. And, in England, the same Thing is done with Respect to Porter, and other Beer; for Porter is there liable to some Duties, from which other Beer is exempt. If, therefore, we distinguish between Small Beer and Strong, and if, in England, they distinguish between Porter, and other Malt Liquor, why should it be thought impossible for us to make the Distinction here? I will, indeed, confess, that it is impossible totally to prevent Fraud, but I will venture to affirm, that it is also impossible for the Brewers to avail themselves of a Pretence, that they brew nothing but Porter and Small Beer: an

an Inspection would immediately detect them, and the proper Duty would be paid. I shall only add, that, if it should be thought adviseable to restrain the Resolution to Porter brewed in this City, I believe the Restriction would not be objected to by the Gentleman who proposed the Motion.

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Dr C- L- faid, that of all fermented Liquors he efteemed Porter to be the most wholesome; it was also, he said, in his Opinion, extremely pleafant: As it could not be drank till it had been kept a Year, he faid the Principles that might have caused a new Fermentation were evaporated ; He observed also, that the Notion that good Porter could be made only of Thames Water was exploded. and that as good Porter might be made in Dublin as in London. He thought, he faid, that we should take every Opportunity to improve our own Manufactures, but that, as the learned Gentleman on the opposite Bench had shewn the Utility of the Measure in Question by Arguments, to which nothing could be added, he should only declare, that he would most certainly give his Vote for it. thone as in now proceeds thought pake into a

Mr J Fitz-G observed, in favour

160 Debates relative to the DAY XXIV. of the Resolution, that it was scarcely in the Power of the Brewer to defraud the Crown, if the Gauger did his Duty, and that the Brewer only would fuffer in Case of a Litigation, because the Brewer must always be taxed, according to the Species that the Gauger returned. He knew a Case, he said, in which the Brewer had litigated the Gauger's Return, and though he produced the ftrongest Proofs that the Return was fallacious, yet he was obliged to pay the Duty, fo that the Crown could run no Risque, with Respect to its Revenue, from the Experiment by which it might ultimately be a great Gainer, as well as the Nation, and that, therefore, he should give his Vote for its being tried.

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As I have had the Honour of serving his Majesty at the Commissioners Board many Years, I think it a Duty incumbent upon me to give my Opinion, with Respect to a Measure that must essentially affect a very considerable Part of the Revenue; and, I must take the Liberty to say, that, if such a Resortion, as is now proposed, should pass into a Law, very little can be expected from the Excise on Beer. It has been said that strong Beer

DAY XXIV.] Affairs of IRELAND. 461 Beer, and small Beer, are distinguished without Difficulty, and that it will be still more easy to diftinguish Porter, from Beer of a different Denomination, but I cannot concur in either of these Opinions. There are, at this very Time, many Litigations depending between the Brewers and Gaugers, with Respect to strong Beer and small, as subject to different Duties, and if a third Species should be introduced, subject to no Duty at all, the Perplexity and Mischief will be greatly increased. I have myself been very often puzzled when small Beer and Ale have been brought to the Board, to diffinguish between them; and as it is univerfally agreed, that Porter is not fit to drink till it is a Year old, and, confequently, feldom tasted till then, it will be almost impossible to distinguish it when it is in a State of Wort, or when first put up, in which State it must be examined by the Officer, from other Liquors, and the Temptation to brew a Liquor subject to no Duty will be so great, that although but one Person in this Kingdom is supposed to know the Secret, yet every Brewer will pretend to it, and a spurious and unwholesome Liquor will be obtruded upon the Public, bittered with Aloes and Colognintida, to the equal Injury of the King's Revenue,

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462 Debates relative to the [DAY XXIV. nue, and the Health of the People. For these Reasons, and because I know that every Complication in the Excise, and every Variation in collecting the Duty is a great Hardship, as well to the Trader as the Officer, and opens a wide Door to Fraud and Perjury, I shall be against the Resolution, except I fhould see Reason to alter my Opinion, from what may hereafter be faid in its Behalf, by those who have made it the particular Object of their Attention. At present I think the Resolution would be precipitate and premature, as no Materials have been produced to the House from which a Judgment may be formed: I should therefore advise to defer the Matter till the next Sessions; however, as I believe Mr Thwaits, in whose Behalf the Motion is principally made, to be a very worthy honest Man, and to have the Secret of making genuine Porter, I shall be very ready to give him any Encouragement in my Power; and, if the Law proposed is extended only to him, I shall not be against it.

has encir **Mr. Jan. Gir., the S. G.** has revised

I am extremely surprized that any Gentleman could imagine it possible for us to adopt

DAY XXIV.] Affairs of IRELAND. 464 in a Moment's Time, a Proposition so extraordinary, or confent to try an Experiment which may fo effentially injure one of the most confiderable Branches of the Revenue, without having a fingle Material laid before us, from which a Judgment might be formed, The Measure seems, indeed, to have been calculated entirely for the Benefit of a private Person, one Mr Thwaites, whatever may have been faid about its public Utility. Mr Thwaites, however, is univerfally allowed to be the fole Poffesfor of a Secret, which, without so extraordinary a Measure, will probably produce him very great pecuniary Advantages. If he can make as good Porter as is imported from England, I apprehend he will have the Preference, for, though Porter imported from England, pays 3 s. and 6 d. a Barrel less Duty than Porter brewed here will be liable to pay, yet, it cannot be supposed to come cheaper to the Confumer, as Freight and incidental Charges must be at least equivalent to that Sum, supposing the Prime Cost in England to be as low as it might be fold for here, exclusive of the Duty, which, confidering the different Price of Labour and Provisions, I think cannot be the Cafe. How Mr Thwaites came to be fuch a Favourite I cannot conceive, much less

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can I conceive how it could enter into any Person's Head to propose the making a Law of which he alone is to be the Object; but, as I am fully convinced that it would be highly improper to make the Experiment proposed, whether with Respect to Mr Thwaites, or the City of Dublin, or the Kingdom in general, without having much better Information than any now before us, I shall give my Voice against it.

A Member then said, that, as Gentlemen seemed to be against a general Exemption of Porter from Duty, he proposed an Amendment to the Resolution, that the Porter brewed in Dublin only should be exempted.

ment, it passed in the Negative.

The Question being then put on the first Motion for a general Exemption, it passed also in the Negative.

In the Sequel of the Proceedings, in the Committee of Ways and Means, the A. G. who proposed the Taxes, remarked, that there had been some Dispute with Respect to the

the Claim of the Vice-Treasurers, of Fees, upon 200,000 l, raised by a Vote of Credit, which Claim seemed to have been allowed, by the Inattention of a former Sessions; he therefore proposed that the Vice-Treasurers should be allowed their usual and uncontroverted Fees, but that all Fees called Poundage, Pells, &c. upon any Aids granted this Sessions, should be applied as a farther Aid to Government.

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The Question being put, it passed in the Affirmative.

It was remarked, that Six-pence a Ton Duty on the Exportation of Soap-Boiler's Waste, made Use of as Manure, which was laid on with a Design of its operating as a total Prohibition, had not answered the End; and it was therefore proposed, that an additional Duty of two Shillings a Ton more should be laid on.

The Question being put, it passed in the Affirmative.

The A— G— faid, that the Importation of foreign Silks, particularly those of France, was

466 Debates relative to the [DAY XXIV.

was not only a Discouragement of our own Manufactures, but also of the Manufactures of Great Britain; and that when the Duty of 40 s. a Pound Weight was laid on those Commodities, he was persuaded it was intended as a Prohibition, but not having that Effect, he proposed that the Importation of foreign Silks should be expressly prohibited.

Mr E—S—P— agreed that the Importation of foreign Silks was a National Difadvantage, but thought it more eligible to lay fuch an additional Duty upon them as would make it worth no Man's while to import them, than to prohibit the Importation expressly, which, he said, might give Offence to the Nations whence they were bought, and induce them to prohibit the Importation of our Commodities; he therefore proposed an additional Duty of 41. on every Pound Weight of all forreign Silks, except British and China, Persia, and the East-Indies.

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The Question being put, it passed in the Affirmative.

Mr E—S—P— proposed, for the Benefit of the Paper Manufactory, that an additional DAY XXIV.] Affairs of IRELAND. 467 tional Duty should be laid on the Exportation of Rags, and that the Duty on the Importation should be taken off.

now prepared a Refolution for this Chairman of the Committee, replied, that to the laying an additional Duty on the Exporportation, he had no Objection, but that the taking off the Duty on Importation could not properly he done in that Committee, which was appointed folely to confider of proper Ways and Means to raise the Supplies, and that taking off any Duty, already laid on, was an Act directly contrary to its Institution. He observed, that the Proposal for brewing Porter, Daty free, which had been lately de bated, was not a parallel Cafe, for that Porter would have been confidered, not as a Species of Beer taxed already, but a new Species, which might either be taxed or not, as should be thought most for the general Benefit.

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In this Opinion of the Chairman the Committee concurred, and it was a Resolution, that an additional Duty should be laid upon the Exportation of Rags, but not that the Duty on Importation should be taken off.

Mr

of Rage, and the First Arm the Imports

I have now prepared a Resolution for this Committee with Respect to a Tax upon Dogs, for raising a Sum to be applied to the Improvement of the Inland Navigation of this Kingdom, and for fatther preferring the Game: With these two Views I propose that the Tax thould be fuch as will, ih a certain Degree, leften the Number of Dogs that an kept; and yet leave a Number fufficient to render the Duty productive of a ofeful Sum: I propose that 201, a Year be paid for one Hound, 40 s. for a Couple, and 51. for any greater Number; that 3% a Year be paid for a Pointer, or Pointers, Setter or Setters, Spamiel, or Spaniels; and 3 /. a Year allo for Grey-Hound, or Grey-Hounds, Larcher, or Lurchers, and every other Species of Dog used in the killing of Game, and that every House having more than one Cur, or Watch-Dog, shall pay 3s. a Year for each Dog a-bove that Number: And I propose that this Tax thould be collected by the Collectors of the Hearth-Money. laporation Goods is taken officer is not a

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I wish to see a Tax laid upon Dogs, for many Reasons, and for none more than to prevent the Danger arifing to Mankind from that Species of Madness to which no domestic Animal, but a Dog, is subject. The Difease produced by the Bite of a mad Dog, is a Complication of Misery and Horror, altogether without Parallel; it is torture and Diftraction, an Agony both of Body and Mind, and Death, with every possible Aggravation both of its Terrors and its Pain. And yet; defirable as a Tax upon Dogs may be upon this, and many other Accounts, I think the Proposal now made, is attended with insuperable Difficulties, both with Respect to the Distinctions of the Species that are to be made liable to the Tax, and the Manner of collecting the Money. It is proposed that 3 has Year shall be paid for a Spaniel, but that one Cur, or Watch-Dog, shall be allowed to every House, Duty free; but it frequently happens that the Dog kept as a Watch-Dog, is a Spaniel, or fome other Species that might be used in the killing of Game, and what is to be done in that Cafe? I Is the Sum of 3 to Year logi Hh 2

470 Debates relative to the [DAX XXIV. to be then paid for the Watch-Dog, because he happens to be good for formething else? Or must the Master hang his faithful favourite Servant, and procure a Cur, that he may avoid being taxed at 3 l. a Year for not expofing his Life and his Property to Thieves, and Murderers, when he lies down to fleep, after the Labours of the Day? But, supposing that Curs only are kept for Watch-Dogs, it will be very oppressive to allow but one to a House, except the Owner pays 3 . a Head for all above! There are many People who can ill afford to pay even the Hearth Money, a Tax to which they are fubject already, whose Occupations make more than one Watch Dog almost as necessary as their daily Bread, particularly Shepherds," Tanners, Bleachers, and many others that I meed not hame. It will also be extremely difficult to diffinguish the feveral Species of Dogs to be named in the Act sproposed , there is a greater Variety of Dogs than of any other Animals known by one common Name, and much less Difference between a Wolf and a Bear, than between ai Pug-Dog, and a Grey-Houndard How many of othere are to be included under the Denomination of Curre And what is to be done about Lap-Dogs, which are warious al-Hhz most

DAY XXIV.] Affairs of IRELAND 471 most without Limits ? If it is faid that these are kept only for Pleafure, and that none should be exempted from the Tax but those that are kept for Ufe, I must beg leave to obferve, that Use is only the Means of which Pleasure is the End: If we defice to keep our Property, it is that we may use it, and we can use it well only in procuring Pleasure to our felves or others ... We feem to think that the fame Law of Nature which restrains us from inflicting politive Pain, does not restrain us from diminishing positive Pleasure, yet nothing is more certain than that the Obligation to refrain from Evil includes both! It is a mortifying Confideration, that human Benevolence is ftill more limited than human Power. We frequently alleviate Mifery, we feed the Hungry, and we cloath the Naked; but if we perceive that those who, on such Occasions, have been the Objects of our Bounty, indulge themselves in any positive Gratification, we feldom feel ourselves disposed to encrease it but, on the contrary, regard it with a Kind of Grudging, and Ill-will. Our Benevolence chills when it ceases to be Pity, and we cannot bear to think that those who receive Charity should derive any Thing better from it than a mere Alleviation of Diffres. The fame Hh 3 Leaven vidlaa.

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472 Debates relative to the [DAY XXIV. Leaven of Malignity leads us to overlook our Obligations, not to take away what we cannot give, and Superstition being ever ready to countenance the Depravity of our Nature, represents whatever is taken from the common Stock of Pleasure, as a Tribute to Providence, and encourages us with the Notion of doing our Duty in Proportion as we make that difficult, without which Life itself is of no Value. If it can be proved, that, by taking away from those, who, perhaps, can procure few other Pleasures, that of keeping a favourite Dog, a sensitive Being, to which their little Power can communicate Happiness, a Dependant that can express Obligations without Flattery, and affociate with Diffress without repining, if it can be proved that, by taking away this good, greater good can be procured, it is then right to take it away, but I believe the Advocate for a Tax upon Doge would be greatly puzzled to apply the Money it would produce, so as to produce half the Pleasure, upon an Aggregate, that it will defiroy. Befides, I have an insuperable Objection against the Manner in which this Tax is to be collected. The Collectors of the Hearth-Money are frequently obliged to diffrain where there is an Inability to pay it; this is a cruel Neceffity

DAY XXIV. Afairs in TRELANDO 473 ceffity, and cannot fail to render them odious, though they are nothing more than the mere Instruments of the Law. The Tax itself is edious, and is always paid with Reluctance and Ill-will, and it would furely be imposing a very fevere Service upon the Hearth-Money Collector, to compel him to fearch the Houses of the Poor, and peep into the Closets and under the Beds for a favourite Dog, whole Life they cannot afford to redeem. I should also be glad to know how he is to manage, when he finds a Litter of Puppies, if they are all to be drowned, without Mercy, what is to become of the Breed ? If they are to be spared, must he remit the Tax, or must he levy it? As to Lurchers, I must confess I know not what Dogs they are. -

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Upon Mr O—'s faying he did not know what a Lurcher was, the House grew merry, and he himself joined in the Laugh; at length Mr M—, the Chairman, said, that though it might be easy to turn the Subject of the Proposal into Ridicule, as there might appear something ludicrous in it, yet it was, in itself a serious Subject, and deserved very serious Attention. He said, he thought that the Inland Navigation being of great and National Hh.

Importance, some Means should be thought of to raise Money for its Improvement, and that he saw no Reason why the Proposal now made should not, at least, be reported to the House, as a Resolution of the Committee; the Subject, he said, would then be more fully examined, and Objections might be stated, and, perhaps, removed, with Respect to the laying, as well as collecting the Tax.

Chairman, and hoped the Resolution would pass the Committee, that the Subject might come under the Consideration of the House.

The Question being put, it was carried in the Affirmative,

After the S-r had refumed the Chair, Mr E-S-P— faid, he begged leave to put Gentlemen in mind, that, some Time ago, he mentioned his having a Secret of the greatest Importance, and most extraordinary Nature, which he intended to communicate to the House. This Secret, he said, he intended to communicate the next Morning, and hoped Gentlemen would attend, to make a proper Resolution upon it, and also to consider of an Address to his Majesty, which he had to offer on the enormous Grievance of Pensions,

THURSDAY, Nov. 24, 1763.

glad to know why it was not avowed; and

Charles. Le front, Sir. as Pentions are sin-

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Think one of the greatest Disadvantages arising from the Grant of Pension, is the inriching Aliens, with the Treafure of our Country. I shall communicate a Fact to this House, from which it will appear, that the Grant of Pentions to Aliens is supposed to be contrary to the Sense of the Nation, even by the Advisers of such Grant, and therefore, not avowed, though made. There is a Pension, Sir, granted nominally to one George Charles, but really to Monfieur De Verois, the Sardinian Minister, for negociating the Peace, that has just been concluded with the Minister of France. I must confels, Sir, that in my Opinion, this Service deserved no such Recompence, at least on our Part; fo that, in this Cafe, our Money is not only granted to an Alien, but to an Alien who has no Merit to plead. If it is thought a defentible Measure, I should be

Debates relative to the [DAY XXV. 476 glad to know why it was not avowed; and why, if it is proper, we should pay 1000 !. a Year to Monsieur Verois, we should be made to believe that we pay it to George In short, Sir, as Pensions are indiscriminately given for all Purposes, upon all Occasions, and to all Persons, both for Lives and for Years, I think it is a Duty incumbent upon this House, to address his Majesty on the Occasion, and to represent to him the real State of the Kingdom, which, there is the greatest Reason to fear has not been fufficiently done; for his Majesty's paternal Regard for his People is too well known, for us to suppose he would permit any Measure to take place, by which they were effentially injured, if he was fully apprifed of its Confequences. I, therefore, move, "That ap humble Address he presented to his Majesty, to affure his Majesty of our inviolable Attachment to his Royal Person and Family; that we have the firmest Reliance on his Majesty's Wisdom, Justice, and tender Regard for his Subjects of this Kingdom; but that we thould fail in our Duty to his Majesty, and defert the Trust reposed in us, by those we represent, should we longer defer laying before his Majesty, the real State of this Kingdom,

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DAY XXV.] Affairs of IRELAND.

dom, which we have fome Reason to sear may not yet have been fully prefented to his Majesty's View. That we prefume to do fo from a firm Perfusion, that his Majesty will not believe that we are prompted to it by the Spirit of Faction, but impelled by the Necessities of the Kingdom; and that we have nothing in View but his Majefty's Honour, and the Prosperity of our Country. That during the late successful War we exerted our utmost Efforts for the Support of his Majesty's Government, and to raise such Supplies as his Majesty thought necessary for his Service, though it was with the greatest Difficulty we could even provide for Payment of the Interest of the Sum we were obliged to borrow for that Purpofe. But at the same Time we could not, without the utmost Concern, observe, though we lamented it in Silence, the great and continual Ingreafe of Pentions, and that a confiderable Part of those Sums which were destined for Public Uses, was diverted to private Purposes. That this is one great Cause of the heavy Debt which oppresses this Kingdom, and which we can scarce ever hope to discharge, deprived as we are of those Refources from Trade, with which the other straqog sher, the annual Sum o

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Parts of his Majesty's Dominions are blessed. That any considerable Addition to this Burthen must depopulate this Kingdom, already much exhausted of its Inhabitants. That we presume with all Humility to lay these our Circumstances before his Majesty, not doubting that they will excite in his Royal Breast those Sentiments which are so natural to his Princely Disposition."

This during the late increising Wair we extend our stract TM ris Vielle Support of

his Majesty's Government, and tozriM fach

Supplies as his Majody thought necessary So much has lately been faid, Sir, about Pensions, and such dreadful Pictures have been drawn of the Evils, to which they expose us, that I set myself seriously to enquire whether they are so disproportionate to the ordinary Revenue, as they have been reprefented; and to estimate the real Weight of what has been represented, as a Mill-stone that will not only dash us to Pieces, but grind us to Powder, Now, Sir, upon looking into the State of Pentions for some Years back, I find that the Penfions, on the Civil List, in the Year 1717, amounted to 32,000/ the French Pensions to about 12,000 1. and the Military Pensions to about 8,000 7. making together, the annual Sum of 52,000 %. The

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The Penfions now granted; amount to 75,000 k a Year, a Sum which exceeds that granted in Pentions fix and forty Years ago, no more than 23,000 l. and lam confident that both the public and private Revenues of this Kingdom, have encreased in a much greater Proportion But fuppoling the Revenues not to be actually improved at all; the Proportion of the Pentions to the Revenue will appear to be at least the fame that it was then, if we only confider the Difference in the Value of Money, for I think 52,000 h a Year, fix and forty Years ago, was equivalent to 75,000 l. a Year now. So that the Pannic which has been raised about Pensions, has, like all other Pannics, been founded upon fomething in the dark, fomething that derives a Power from Objedrity which light would deftroy and we shall find that what is now represented as rad Burthen that will crush us in a Momenth welhave borne fix and forty Years without Injury and as it appears by the Speeches of those very Persons who suppose the Load to he Inow chormously encreased, even without knowing it y for, furely, if they had known we that sustained it so long already; they would not have thought it impossible for us to sin hair sid still How Seacestions injurious to the Prerogetive, and con80 Debates relative to the [DAY XXV.

ever, admitting the Sum granted in Penfions to be a Grievance, the Attention which his Majesty has been pleased to thew, in taking it into Consideration and the Part which the Lord Lieutenant has acted in the Representation of it, render the present Motion, in my Opinion, wholly unnecessary, as there is not the least Reason to doubt that his Majesty will continue to this Country the kind Disposition that he has shewn already, or that he will exclude us from that paternal Affection, which he has extended to all his Subjects over since his Accession to the Throne.

Pannic which land an MilaMabout Pentions,

has take all other Ponnics, been founded up

As there have been already very long Debates on the Subject of Pensions, in which the Topics of Declaration feem to have been exhausted on both Sides, I Mall now only consider the Propriety of the Address. As to the Form of it, I must consess, that it is drawn up with that Decency and Submission, which should always be preserved in Approaches to the Throne; and which, I think always have been preserved, even in those Addresses, which were intended to obtain Concessions injurious to the Prerogative, and, DAY XXV.] Affairs of IRELAND.

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3481 consequently, inconsistent with the Constitution; but as to the Spirit of it I I think it may fairly be prenounced to be the complaint of Faction and Discontent, the querulous Remonfrance of Diffruity and all-will duits Spirit and Tendency may be sufficiently known by the Party from which it comes, and the Measures that have preceded it; they moved, that a Lift of the Penfions, and Penfioners, might be printed for the Perufal of the Public; that an Enquiry should be made. whether the Grant of them was Legal; and for a particular Examination of the Character. Circumstances, and Situation of the Persons to whom they were paid, with an Intention to restrain his Majesty Bounty in this Channel: This Address, Sir, is nothing more than a Succedaneum to these Enquiries which the House has rejected, as improper, and the House, therefore, cannot consistently confent to this Address. With what Propriety, Sir, can we Address against any Meafure, as a Grievance, when we have not thought proper even to enquire, whether it is a Grievance or not? Should we not know that to be a Grievance, of which we complain as such? And how can we gain this Knowledge without an Enquiry? Befides nothern destant of the arron

482 Debates relative to the [DAY XXV. ic can never be your Interestato stew a Diffidence in the gracious Promifes which his Majefty has made to this House, by a Letter from his principal Secretary of State, which sought to convince this House that his Mar Spirit and Tendency may Ibabnathingflag

sknown by the Party from which it comes, and Sir W- O here called to Order, addresling himself to the Chair, said, beyom

fioners, might be printed for the Peracil of the Public; that an Enquiry should be made, I must appeal to you, and this House, whether we are now addressed in proper, and parliamentary Language The Name of Majesty should never be used in this Place to influence either the Passions, or the Judgment, much less should any Arguments be drawn from a Letter, written by a Secretary of State to a Lord Lieutenant, which has never been properly communicated to us, and of which, in our public Capacity, we ought not to be supposed to know, even the Existence; must, now I am up, take the Liberty to say that the Name of Majesty has been too much used of late to screen the Ministers, and that this Practice must always restrain that Freedom of Debate, which is effentially necessary to support the Freedom of the Constitution, If a Man does but open his Mouth to complain

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plain of improper Conduct in a Minister, he is at once choaked with the Name of Majesty. The more amiable the Character of our present British Prince, the more Influence his Name will have, and, for that Reason, it should be used with the greater Caution, I therefore, hope, Sir, that you will prevent that Gentleman from Proceeding in the Manner he began.

Regions to my over Omicm Limention as Letter, Siry duoin the principal Secretary of

State to the Lord Lieutenant, as bargon

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I appeal to the House, Sir, whether I have, in any unparliamentary Manner, endeavoured to influence them by mentioning the King. An Address is proposed to be made to his Majesty, and how is it possible to speak of that Address without mentioning the Name of Majesty? If it is Parliamentary to object to that Address, I cannot conceive how it can be Unparliamentary to give the Reasons on which the Objection is sounded. I mentioned a Transaction, which, though not formally communicated to this House, must, and ought to have a weighty Instuence upon every Person in it.

Here he was stopped, and called to Order
I i again;

again; and it was insisted, that as the Transaction referred to had never been properly communicated to the House, it should not so much as be mentioned in it.

Mr M_ P_.

Mr S---,

I think it very hard, Sir, not to be suffered to explain my own Meaning, and affign the Reasons for my own Opinion. I mentioned a Letter, Sir, from the principal Secretary of State to the Lord Lieutenant, as having convinced me that a certain Opinion was true; and as this was an Opinion, which, I thought it my Duty to declare to the House, I think, I had an undoubted Right to declare the Causes of it, whether they arose without Doors or within; whether the same Reasons that have convinced me, will, of will not convince others, I fliall not enquire, nor have I any concern about it. Centlemen may believe, or rather appear to believe, just as much of as little as they think proper, but they have no right to compel me to leave my own Opinions unfupported, of to appear to have adopted Opinions, without any Evidence of their Truth. I am of Opinion, that Addresses to the Crown, by way of Complaint, are very

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very delicate Things, and should never be made but in Cases of the highest Importance; to make them on trivial Occasions, must neceffarily weaken their Efficacy, and deprive us of a powerful Resource when we most need it. Murmuring and Complaint never excite Generofity, or dispose to Kindness; and, on the present Occasion, may produce very disagreeable Consequences, as I think, upon Enquiry, they will appear to be ill founded, and to be subsequent to a Measure, graciously taken, with a View to preclude them; being then of Opinion, that this Address is improper, and, having affigned the Reasons of this Opinion, I shall give my Vote against it. - in diapologic grows Loids L. Dia Per at the

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The collateral Point in dispute, Sir, where ther the honourable Gentleman is, or is not at Liberty, to mention in this House, a Transaction of which it ought to take no Cognizance, I shall pass over; but I cannot help expressing my Surprise at a Reason he has assigned, for not agreeing to the Address, which is intirely independent of that Transaction: He says, Sir, that he cannot agree

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to the Address, because no previous Enquiry has been made whether it is proper; and yet he was one of those, who strenuously opposed that Enquiry, and recommended a more moderate Way of proceeding; fo that he opposed an Enquiry, because it was not a moderate Way, and he opposes a moderate Way because there has been no Enquiry: If the Enquiry was effentially necessary to a more moderate, Way, his opposing the Enquiry, upon pretence of taking the more moderate Way, was a Farce; if it was not necessary, his present Opposition of the moderate Way is, for ought that appears, wholly causeless and capricious; at least, it cannot be justified by the Reasons he alledges in its Justification. I think he admitted, and, I think every Gentleman prefent admitted, that Penfions, in their present Extent and Destination, were a Grievance; and this general Consent is furely a sufficient Ground of Application for Redress, at least, for a Representation of the Grievance to the Crown.

The H—ble Mr B— M— spoke much to the same Purpose, as Mr M— P—, he said, he thought, that as there had been no Enquiry, there should be no Address, and that

DAY XXV.] Affairs of IRELAND. 487 that he was infinitely more against the Address, than the Enquiry.

Mr C— C— recommended Confidence in the King, and the Lord Lieutenant, as his Excellency had, of his own Accord, represented the State of the Country to his Majesty, and his Majesty had, in consequence of it, taken it into Consideration: That as it was doubtful whether they could insist upon the Limitation of Pensions as a Matter of Right, Men of great Abilities being divided in their Opinion, about the Legality of the Grants, and as there was no Reason to suspect his Majesty's good Intentions he thought acquiescing in his Measures, and putting Considence in his Promises, would have a better Effect than the contrary Conduct.

The Ret Heble, Mr He Le Re.

Mr.S. Johnson, Sant Lataussia &

Though I am very sensible this Country has suffered much by Pensions, yet, I think, an Acquiescence in his Majesty's gracious Declaration, not only dutiful but prudent; I do not know what we can gain by Disputes with our lister Country; as we have certainly no Power to resist, we should acquiesce with a I i 2 good

good Grace; as Justice can exact nothing, we should see what Generosity will give. His Majesty is too gracious to see us suffer any Evils, that he can Redress, and too wise not to know that the Support, Protection, and Prosperity, of this Country, will contribute to the Honour and Dignity of his Crown, and to the Strength and Riches of all other Parts of his Dominions.

Mr H— L— made a conciliating Speech which did him great Honour.

Mr A Mac A sais mode

of Mr Sale, oily on ancionant book and

The honourable Gentleman, upon the Floor, who spoke the second in this Debate, took some Pains to demonstrate, that there had been no Increase of Pensions disproportinate to the Revenue, from the Year 1717 to the present Time; he observed, that in the Year 1717, the Pensions amounted to 52,000 land that they now amount but to 75,000 land that they now amount but to 75,000 land the public and private Revenues, and the Difference in the Value of Money, was but just equal. Now I shall not only endeavour to shew, that this Calculation is fallacious, or,

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at least, is fallaciously applied, but that we are in a worfe Situation, with Respect to Penfions now, than we were then, in other Refpects. Of the 52,000 1. then paid Annually in Penfions, 12,000 was French, and 8,000 was Military; the Money expended in French Pensions was certainly most judiciously beflowed, for it encouraged and supported the poor persecuted Protestants, who were driven from their native Country by the Edict of Nantz, and who, by taking Refuge among us, greatly strengthened the Protestant Religion in this Country, and, at the same Time, improved it by the Introduction of many ufeful Manufactories. The Money laid out in Military Pensions was also usefully applied, as it was, in almost every Instance, the Reward of Merit, and enabled many of the Nobility of the Country to support the Dignity of their Stations, and preferve an Influence, which was employed greatly in favour of our Religion, and Government; whereas the Money now bestowed in Pensions is so far from answering any of these good Purposes, that it counteracts them; it is paid to a fet of nameless, obscure, and dissolute Wretches, who contaminate the Society to which they belong, with Idleness, Luxury, and Corruption; but, fetting the Application of the Money out

Debates relative to the [DAX XXV, of the Question, and allowing the Increase of our Revenues, and the different Value of Money, the gross Sum was more proportioned to our Ability then than now; to prove that the Proportion is equal, it must be proved that our Expences, in all other Things, are equal, which is by no Means the Case; supposing, that we take the Encrease of our Revenues, and the different Value of Money to ballance the Pension Account, and make 75,000 /. a Year equivalent only to 32,000 l. nothing remains to ballance other Articles of Expence, which are encreased in nearly the same Proportion. In the first Place, we have now Interest to pay for a National Debt, which was not then contracted; our Military Establishment is encreased to an enormous Degree; our Employments are greatly multiplied, with excessive Salaries; the Salaries of old Employments have received very extraordinary Augmentations, and our Absentees are become much more numerous; if these additional and enormous Expences are subtracted from our Revenue, I believe it will be found that much less remains to pay our 75,000 L a Year Pensions, than we had in the Year 1717 to pay 32,000 /.; and, therefore, it is still true, -100, testing the Application of the Money out

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DAY XXV.] Affairs of IRELAND, ages

man has faid, that our Bonfions are more a Grievance now than they were then; and that though we supported a Weight of 32,000 % then, we may fink under that of 75,000 anow. But, supposing our present Pensions to be Grievance, I find fome Gentlemen are of the pinion, that it thould be fuffered without Complaint. It has been infinuated that Complaint would be imprudent and undutiful; and obfoure Hints have been thrown out of fome nameless Evils that Complaint may draw upon us. Now, Sir, if we were a Nation of Slaves, and lay at the Mercy of a capricious Tyrant, who knew no Law but his Will, this might be true; but, as we are a Nation of free Men, who inherit Liberty as our Birthright, and are subject to a Sovereign, who is engaged, by the most solemn Ties, to govern us according to certain, invariable, and known Laws, it cannot be true. What Power on Earth have we to fear, while we conscienti-

oully discharge our Duty? And it is our Duty to complain of Grievances by which the Nation suffers, whose Representatives and Trustees we have the Honour to be. We

have been told, Sir, of the Interposition of a Lord Lieutenant, but, surely, our graci-

to Threatchings have allo

Ous Prince will not pay less Regard to the Voice of his People than to that of his Servant,

and I hope no Gentleman present will suppose that a Person, who is sent from another Country, and continues among us for a short Time, can know our Weakness and our Strength, our particular Interests and Circumstances, the Nature and Causes of our Complaints, as well as the great National Council of the Kingdom, confifting of Gentlemen who are born in it, and have an hereditary Interest in its Welfare. The Representation of Grievances, if fuch there are, is our peculiar Province; it is a Duty that we owe not to our Constituents only, but our King, whose Honour and Dignity, Happiness and Strength, certainly depend upon the Prosperity of his People: I shall therefore give my Vote for the Address. engaged, by the most colemn Ties, to govern

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Laws, it cannot be truck What Power Barth have we to fear, while we S TM.

I am extremely surprized, Sir, at some of the Objections that I have heard made against the laying our Complaints before the Throne, by an Address: We have been told that it is delicate Matter, and that we had better conciliate Good-Will, than provoke Resentment: Some oblique Threatenings have also been thrown thrown out, and an Attempt has been made

to over-awe us by the Dread of fome Evils which it has been infinuated that this Refentment may produce, But what Opinion must we entertain of his Majesty, if we conceive these Evils to be real, and this Dread to be well-founded? It has already been observed that his Majesty has not the Power to hurt us being innocent, and God forbid that we should suppose him to have the Will. What can be more injurious to that amiable and beneficent Character, for which he has ever been diftinguished, than to imagine that if we humbly apprize him of our Sufferings, he will not only leave us without Redrefs, but punish us for complaining! His Majesty, Sir, I am fure, would be greatly troubled if he thought we had dishonoured him by fo unworthy an Opinion, and our Sifter Country would certainly confider our timid Acquiefcence in public Grievances without Complaint, and our voluntary receding from our constitutional Dighity and Privileges, as a Repreach to us, and a bad Omen to herfelf for as we form together one Aggregate, whatever weakens a Part, must necessarily diminish the Strength of the whole. I think, therefore, that, in Duty to our Constituents, in Friend-

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quipught it my Dury, indeed, to declare what

thip to Great Britain, and in Honour to the Crown, we should consent to this Address.

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The Question being then put, it passed in othe Negative by 124 against 33. The own of the land of the land.

which it has been infimunted that this Re Com-

Mr E S P then moved, "That an humble Address of Thanks be presented to his Majesty, for his gracious Intentions towards this Kingdom, concerning the not granting of Pensions for Lives, or Years, upon this Establishment; signified by one of his Majesty's principal Secretaries of State to his Excellency the Lord Lieutenant, and by him communicated to one of his Majesty's principal Servants in this KingMajesty's principal Servants in this Kingdom, and by him to this House.

version of Mr.P. of T. ithe A. G. browsu

cancerin public Greetine, web. aM char

I can scarce persuade myself that the honourable Gentleman is serious in the Address
that he now proposes, for it is certain that no
such Address can be presented, considently
with Propriety, or the Rules of Parliament;
for the Subject of it is not regularly before the
House, nor was ever intended to be so. I
thought it my Duty, indeed, to declare what
I knew

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I knew of a particular Transaction when I was called upon fo to do, in Confequence of what an honourable Member had thrown out concerning it; but the Address now proposed feems to be founded upon a total Miffake of the Fact, as I flated in I did not fay, that any Affurance came by Order of the King, in a Letter from a principal Secretary of State to the Lord Lieutenant, but that the Lord Lieutenant having represented the State of Pensions on this Establishment to his Majesty, his Mass jefty had been graciously pleased to fay that he would not grant any more Pentions for Lives, or Years, exception extraordinary Occause fions; and that his Excellency, not thinking himself at Liberty to communicate what his Majesty had faid in a private Conversation. without Permission, wrote to the Secretary of State to know from his Majesty whether he might communicate it, as a private Conversation, and the Secretary's Answer purported that he might. Now, Sir, though his Mad jesty's gracious Declaration, even in private. Discourse, deserves the greatest Confidence, yet, furely, it is not a proper Subject for an Address of this House, for it is wholly unprecedented and unparliamentary to found an Address upon any Thing that has not in a pub-

white late who bad wine block a situlic is

lic and folemn Manner, been communicated to this House, on oh of noque ballso saw

what an honourable Member had thrown out Mr E - S P replied that he could not recollect that the honourable Gentleman had been called upon * either by himfelf of any other Member when he made the Decla ration in question, but that he did it voluntael rily, and from himfelf woThat fuch Declaration on had most afforedly influenced the House, many Gentlemen having declared that their Vote had been determined by it: That the Mode in which the Affurance had been com municated, was a Matter of no Confequence, the Communication of it had had a powerful Effect, and as the Affurance had been thought to deserve Confidence, he was of Opinion that if deferved Thanks, and that, as their farther Proceedings to obtain a Redress of the Grieve? ance of Pensions had been stopped by his Mau jefty's gracious Declarations, it was but juffy both with Respect to themselves and his Man jesty, to let him know it, that he might be Discourie, deferves the greatest Confidence

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^{*} See the Proceedings on the Xth Day, p. 199, where A the A—G— fays that he thought himself called upon by the Circumstances of the Debate, though not expressly by any particular Gentleman.

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fensible of their Considence in him, and vati the same Time, that they continued in the same Sentiments, as to Pensions, after they relinquished their Proceedings against them; that they entertained before, and were still of Opinion, that they were repugnant to the Honour of his Majesty, and the Prosperity of his People, and the Prosperity of

or betray our Trust! God forbid that we gniwollog educt short and and lavely. H am pine Timidity, that will render us contested the ble even to our Tyrants, and odious to the

magnanimous Nation which glorion e 1M

As I troubled the Houle with my Sentiments at large with Respect to Pensions, on a former Occasion, I had determined to say no. more on the Subject; yet I find myfelf forced from my Resolution, for I have this Night heard fuch Things as would, 4 cause the Lips, " even of the Dumb to speak." I have heard it infinuated, that we ought quietly and tamely to acquiesce in a Grievance without Complaint, for fear our Complaint should be refented as an Affront, and punished as a Crime. But as I am injured in fuch Infinuations in common with every Subject of this free State, and as I am restrained by no such Principles of Davish Fear, I will complain of the Injury I cini

Debutes relativeto the DAYXXV have received. To tell us that we ought to bend our Neck to the Yoke, merely because it is heldout, is to subvert our Honour, and alienate our Birth-right. The whole World Sie, lias a better Opinion of the British Con. thintion, and of this National Affembly, and od forbid we should think unworthily of ourselves, that we should forfeit our Privileges, or betray our Trust! God forbid that we mould fink into voluntary Slavery, by a fupine Timidity, that will render us contemptible even to our Tyrants, and odious to the magnanimous Nation which gloriously maintains that Independance and Freedom, that Honour, and those Privileges of which we feem not to know the Value, and which, if we give up, we fliall certainly not deferve to enjoy; and yet, into this abject Slavery we have been exhorted to fall, and to whom? why to British Tyrants. 25 8 gmid hour battal

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plaint, for fear our Complaint ment Mire re-

I am very forry, Sir, to be obliged to call that honourable Gentleman to order, but he is certainly running into the greatest Irregularity of Debate that ever happened in any House of Parliament: He is going back, Sir, into

DAY XXV.] Affairs of IRELAND. into the Debates upon a Question that has been determined already, and he may as well go back into Debates upon a Question that was determined the last Sessions as the last Hour. It is drawing a Weapon against Gentlemen that are unarmed, for it is contrary to the Rules of Parliament to reply to any Infinuations thus irregularly thrown out, Sir, the Substance of what this Gentleman has offered, is not less contrary to Order than the Time and Manner of it. Let me appeal to this House, and to all the Gentlemen present, who are not Members of it, whether it has ever been faid, or infinuated, that we ought to become Slaves to brutish Tyrants; I am fure there is not a Man that hears me, who does not, from the Bottom of his Heart, dif-claim and detest such a Sentiment as most fatal to us, and most injurious to Great Britain. The Voice of the Majority is the Voice of the Nation, and in that, once given, we ought to acquiesce. Give me leave to add, Sir, that the Majority, by which the late Question has been determined, consists of Gentlemen of Rank and Abilities, Gentlemen who have great Property to fecure, and great Characters to maintain; and, I think, there never fate in any National Affembly of any Age, or any

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Country, Persons who had more the constitutional Rights of the People at Heart, or knew better how they were to be maintained. The Expressions which have been used by the honourable Gentleman, must, therefore, appear to be very improper, in every Respect, and such as can only tend to substitute real in the stead of imaginary Evils, by violating the very Constitution which he appears to be so zealous to support.

this House, and to all the Mentlemen present, who are not Members of it, whether it has

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ver been faid, or infinuated, thet 1M ong it

As I have a very great Respect for the honourable Gentleman who has called me to Order, I am very unwilling to think he has done
so without just Cause; and yet I cannot help
being sensibly struck at the Inconsistency and
Contradiction that appear in what he has said.
He called me to Order, upon Pretence that sobjected to what had been alledged in a former Debate, and yet, in the same Breath, he
afferted that the Sentiments and Expressions
against which I objected were never uttered
in that Debate. If the Expressions, against
which I objected, were used in a former Debate, then it is, surely, contrary to something

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more than Order to fay they were not; if those Expressions were not used, in a former Debate, I do not see that any Order is violated by the Objections I made to them. I think it is my Duty to express such of my Sentiments, and of the Sentiments of those with whom I have conversed, as I think elsentially affect the Question now in Debate. As to the general Characters of that honourable Gentleman, and the rest of the Majority, I am persuaded they stand fair in the Opinion of all the World; but, as to their present Manner of acting, both the Public and the Minority have a Right to judge of it as they think proper.

Here the A. C. called him to Order again, and infifted upon it, that he had no Right to suppose the Majority in the Wrong, that the Majority always was right, and that, upon this Principle, the Laws of the Country sub-fifted.

Here the A. G. was himself called to Order by Sir W— O—, who insisted that the honourable Gentleman, who had been called to Order, had not faid that the Majority were in the wrong, nor any Thing which those K k 2 who

who heard him had a Right to construe into that Sense; he had only said, that the Minority and the World had a Right to judge of their Conduct as they thought proper, which was certainly true; and he observed, that if there was no Diversity of Opinions, there could be no such Thing as a Majority or Minority.

At to the general Characters of that behoursadt of shoot base que tog nadt — A — H nM

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of all the World but, as to their prefent Manner of acting both TMe Public and the

Minority have a Right to judge of it as they

Though I have the Misfortune to differ from my much-esteemed and very ingenious Friend, who has been twice called to Order, yet, on this Occasion, I must bear my Testimony that he did not say the Majority were in the wrong, nor ought he to answer for such an Interpretation of his Words. Let me add, that I think the catching at every Thing that may happen to be thrown out in this House, which is not perfectly consistent with the strictest Rules of Parliamentary Order, must tend to prune away that Liberty of Debate which is of much more Importance than

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DAY XXV.] Affairs of IRELAND. the mere Mode in which Debate is carried on; nor do I think a minute Observance of such Rules necessary, when there is a general Propriety in the Proceedings, and the Arguments are pertinent, and well supported, especially when they are in favour of those Measures which have the Advantage of the Public for their Object, and which Men are never tempted by finister Motives to pursue.

Mr Hoff P. Hib I sad sucial this House, who have taken the other Suic of

the Question, but, I believe I SaiMot out

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However unexperienced I might be in Parliamentary Rules, I could not be fo deficient, in general Knowledge, as to infinuate that the Majority was wrong in their Determination, for there ought certainly to be a public Deference to their Opinion, and a public Acquiescence in what they do, yet the Minority, and the Public, have certainly a Right to think for themselves, and every Individual, in his private Capacity, has, by the fundamental Laws of this Country, a Right of private Judgment, with Respect even to Religion, which has Objects still more important than public Liberty, and national Independance; and whatever the Majority may have determined

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504 Debates relative to the [DAY XXV. with Respect to a particular Measure, I have, undoubtedly a Right to declare, that, in my Opinion, and in the Opinion of many of my Friends, without Doors, a filent and implicit Acquiescence in the Grievance, which is universally allowed to accrue from Pensions, is a Prostitution of our Character, and a Breach of our Trust; an Injury to the Public, a Difhonour to the King, and a Disadvantage to In this Opinion I am con-Great-Britain. scious that I differ from many Gentlemen in this House, who have taken the other Side of the Question, but, I believe, I shall not displease them by declaring, that I most fincerely concur with them in thinking that no Address should be prefented to his Majesty, in consequence of the Letter that has been fo often mentioned, for, in the Capacity in which alone we can Address his Majesty, we ought not to be supposed to know that there is such a Letter existing. Besides, Sir, I am clearly of Opinion, that the Letter, if it had been regularly communicated to us, would not have deferved our Thanks. It is but too easy to prove, from a Variety of Instances, that the Promife of Ministers, delivered even by the Crown, and communicated in a Parliamentary Way, even to the Commons of Great-Britain,

tain, who are more tenacious of their Rights. and have more Power to defend them than any other Body of Men, are not always to be trufted. To one Proof of this I was an Eye and Ear Witness; Mr P-, a Person who is, perhaps, without equal, either in this, or in any other Age, for Firmness of Mind, Steadiness of Conduct, and both personal and political Courage, declared, in the House of Commons in England, that a certain Promise had been made by the Crown, about three Months before, which was then about to be broken; he called a poble Duke and an Barl to witness his Affertion, nor could either of them deny it, whatever their Followers might. This Promise was at last evaded, and what Reason can we have to expect better Fortune ! But if his Majesty, Sir, should fulfil this Promife, our Grievance will not be removed ! It imports only that Pensions, for Lives, or Years, shall not be granted, except upon extraordinary Occasions, but if the same Person, who allots the Pension, is to determine without Appeal, whether the Cafe is extraordinary, there will not be one less Pension granted for Life, or Years, than if fuch Promise had never been made. I know it has been faid, Sir, that a Minister will not venture to pretend an

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Debates relative to the DAY XXV. extraordinary Occasion against the concurrent Sense of the whole Nation; but may not a Minister pretend that the Nation have not nor can have sufficient Knowledge of the Cafe to judge rightly about it? May be not pretend that the Extraordinariness of the Cale arises from Reasons of State, which cannot be communicated? Besides, Sir, it may be fairly asked, on what Occasions Ministers have advised the granting Pensions already; it is not much to their Credit to suppose they have wantonly, or on trivial Occasions, lavished away the public Money; they will pretend, I suppose, that they have hitherto done it only on extraordinary Occasions, and if, for the future, they advise Pensions, as they have done hitherto, I should be glad to know what Title they have to our Thanks, but the very Terms of the Promise do not include Pensions during Pleafure, so that an Intention to increase this Part of our Burthen seems to be implied, even in the fallacious Promise not to encrease it in other Parts: For these Reasons, Sir, I shall give my Vote against the Address

The warm Contest between Mr E_{11} , the A. G. and Sir W_{-} On a concerning Order, having

that is now proposed of one life and the

having occasioned some Mirth in the House, Mr M.— P.— said, that he was pleased to see every Body in as good Humonrat being called to Order as himself; that he had been called to Order three Times that Night, but that instead of being displeased, he thought himself much obliged to his Friends, for setting him right when he was wrong, which in the warmth of Debate might happen to any Man, however versed in Parliamentary, Rules, it is it has a Dejous and noon tipilars and sent

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My worthy Friend, near me, Sir, thought fit to acquaint the House a sew Days ago, that he would, at a proper Time, communicate to us a Secret of a most wonderful Nature; last Night, Sir, he declared, that the mysterious Arcanum should be disclosed to Day. Curiosity, Sir, is a strong Passion of itself, but Curiosity, with Respect to a Matter of Importance, excites the most restless and painful Solicitude and Anxiety; with this mixture of Passions, I have watched the Lips of

Debates relative to the DAY XXV my honourable Friend, this whole Day, and I have at last recovered my Tranquility by discovering his Secret; he has not, indeed, expressly and formally declared it; which, perhaps, may be the Effect of an ingennous Modefty, not willing to draw the public Attention wholly upon himself, or to represent any Thing relating to his own Opinions, or Conduct, either as Wonderful, or Importants it is therefore, in justice to his Merit, that I shall be explicit upon the Subject; and it is with great Pleafure, that I now Name the Secret to the House, which he has only left them to guess; it is no other, Sir, that though he has for some time been of Opinion, that we should not acquiesce in Ministerial Promises, nor be content to owe the Redress of our Grievance, arising from Pensions, to the Interpolition of a Lord Lieutenant, or accept that as a Matter of Grace, which we might demand as a Right, yet he has now wholly changed his Mind, and is of Opinion that we ought humbly to present our Thanks to his Majesty for a Letter, written by his Minister, containing, a gracious Promise, that what we have not demanded as a Right, shall as a Favour be bestowed upon us : This, Sir, is indeed, a most wonderful Event, and 28

an Event of wonderful Importance, I cannot but rejoice in common with all prefent, that it is a Secret no longer, and I think, we cannot be too fanguine in our Expectations of Advantage, from the Acquisition of this worthy and truly patriotic Member to our Partyl nor fufficiently congratulate him upon his Recovery from the only Error, which, perhaps, he ever imbibed.

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I am extreamly happy, Sir, to find that we Country Gentlemen, and the Courtiers, are likely to be of the same Opinion; they have highly extolled the gracious Intentions of the King, and have given much Praise to his Ministers, who have communicated them to us; and, we are now willing to return our most grateful Thanks to his Majesty for such Intentions, which is carrying their Encomium into Effect; we shall, therefore, I hope part with the most cordial Unanimity of Sentiment, and like good Friends, and good Subjects, go home and drink the King's Health, and that of his Pensioners, into the Bargain.

Debates relative to the [DAY XXV.

The Question being then put; it passed in the Negative without a Division, passed as it is a secret and the negative without a pringer of the design of the secretary of the sec

humble Address be presented to his Majesty, most humbly to beseech his Majesty, that he will be graciously pleased to recall the Pension of 1000 l. a Year, granted to George Charles, Esq, on the 15th Day of last July, for the Term of 31 Years, in Trust for the Sardinian Minister, as a Reward for Negociating the late Treaty of Peace with France and Spain.

The Question being put, it passed in the Negative, without Debate, or Division.

highly extolled the gracious Intentions of the King, and have given much Praise to his Minnels, who have given much Praise to his Minnels, who have communicated them to us, and, we are now willing to return our most grateful Thanks to his Majetty for such in tentions, which is carrying then Encomium into Effect, we shall, therefore, I hope part with the most consial Unanimity of tentioners, and like good Priends, and good Subjects, go home and drink the King and good Subjects, go home and drink the King and good Subjects, go home and drink the King and good Subjects, and that of his Penhoners, into the Bargain.

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and \$6071 ;25 confiderably A D P R T Community it is certain that the community after with them functionally a P R T X I S - Y T W B W T pechuar Digular neges, to affect on the confiderations of the

in himself; now Papille making one

selves but, in this Case, their Difadvant e affects other Fark of Cast ommunity; in

the Papif is prohibited from lending, upon fuch Security as is thought, a feeliaM:

HERE was a Bill pasted in the last Seffion of Parliament, without a Division, for impowering Papills to lend Money on the Mortgages of real Estates; this Bill, though for what Reafon I know not, was loft in England, yet, I think, its paffing into a Law would have been of great Advantage to this Kingdom. At present Papists can take only personal Security, for the Money they lend, which is certainly a great hardship upon them, and, I shall endeavour to shew that it is also a great Disadvantage to the Public. As the Public is nothing more than an Aggregate of Individuals, the Suffering of an Individual, is a Difadvantage to the Public in the Proportion which that Individual bears to the whole, supposing the Suffering of the Individual to terminate entirely ginions, any further tiran they include

Debates relative to the DAY XXVI. in himself; now Papists making one Part, and a very confiderable Part too, of this Community, it is certain that the Community must suffer with them, supposing their peculiar Disadvantages to affect only themfelves; but, in this Case, their Disadvantage affects other Parts of the Community; if the Papist is prohibited from lending, upon fuch Security as is thought, a fufficient Indemnifications which with Respect to more personal Security, in such a Country as this, cannot be the Cafe sit is certain, that the Protestant is continually restrained from borrowing and yet borrowing and lending, and mutual Advantages. It may perhaps, be replied that though the Difadvantages under which the Papills are laid, by what are called Popery Laws, are, indeed, Difadvantages to the Public, yet the Difadvantages to the Public would be greaten if the Papiff was admit ted to all the Privileges and Immunities of Protestants, that we have, in this Case, the Power only of chusing the least of two Evils, the different Religious Opinions of the Inhabitants of this Country making a certain degree of Evil inevitable. But, in Answer to this, I must observe, that, with Religious Opinions, any farther than they include political

Affairs of TRECAND DAY XXVII cal Principles, Vaffecting Civil Government, we have nothing to do vo As Protestante our Religion is founded upon the Right of pris vate Judgment We renounce the Infallible lity of the Pope, and it would be abfurd, indeed, to fet up, inflead of it, an Infallibility of the State we must upon our own Principles, attended that the Opinions of those who differ from us may possibly be prue; and O1 pinions that may possibly be true we have certainly no right to punish 3d we may indeed, and we bught to keep the Power of hurting us out of the Hands of those whole Principles would lead them to exercit; but, I think the Papiflus much smore formidable Enemy, as an Inmare, in the Poffettion of our ready Money! than in the Potestion of a Money is always Power, Mortgage Deed. and that Money which is placed out in Protestant Hands, aponia Mortgage, is Power in favour of the State of the falme Money, in the Hands of the Papite gindent inpooning the Papill to be an Rnemy to the State, is Power against iens Besides, Slr, Monby is not a local, but a transitory Property in Papin, possessed only of Money, have no local hueseft in the Country, but a Papid Morgages has, he will be engaged tel support the Government dis point

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514 Debutes relative to the [DAY XXVI. point of Interest; his Security for his Money is good, while the Government subfifts, and in the Convultion that always lattends the Subverifion of Government W will at least be come doubtful befides the greater the Adventages that the Papifts receive under the profent Constitution, the more they must defite its continuance mand, I will wenture to fay, that if the Papilts were to be admitted to all she Privileges of Protestant Subjects, there would fearest bera practical Jacobite among them, whatever there might be in Theory, I Mould, therefore, he glad that the Bill thould have another Trial; and shall there forebimove for leave to bring in Heads of a Bill, to impower Papifts to lend Money son the Mortgage of Land, and to fue for the Mortgage Deed. Money is always P. smal and that Money which is placed out in Pro-

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Mr T. Leather, faith that he thought the Bill proposed, would eventually make Papists Proprietors of great Part of the Landed Interest of the Kingdom, which would certainly extend their Influences and that it was dangerous trusting to the Use they would make of it, upon a Supposition that their Interest would get the better of their Principles. That the Act mentioned to have passed the

DAY XXVI.] Affairs of IRELAND. 515 last Sessions, did not pass without a Division, there being a Majority of no more than twelve in its favour, and that it would not have paffed at all, if it had not been for fome artful Management, it being brought in the very last Day of Sessions, when no more than 62 Members were present. He, therefore, begged that the honourable Gentleman would postpone his Motion till Monday, as the House was now thin, and as Gentlemen would then have Time to confider the Subject, which was of very great Importance. He vadded, that as there was Reafon to suppose it to be the general Sense of the House, that such a Bill thould not pass, he thought it would be better that no Heads of fuch Bill should be brought in, as it was cruel to to raise Expectations which would probably be disappointhorest of Opinion that it lock hit, degulary be pais a Commune of the whole Moune, and

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the House was very thin, and that Genuemen, who knew nothing of the Matter, might

AUTAS when the Lound that a lower had been given to borrow, so considerable.

y-Bill in Quelton, than to give .mu?

But Dekares relative to the [DWXXXVII.

lest Semons, did not pass without a Division,

TWENTY-SEVENTH DAY

very last Day of Sessions, when no more than R: Com Landolerved, that by the Beport of the Committee of SWays and Means, it appeared; that Jostructions had bedn given, by a Resolution of the Flouse, for al Clause, in the Money-Bill, winapowering his Majefly sto bossow the Sum of 1900,000 ! that remained unborrowed of the 400,000 l which the Crown was impossed to borrow last Near, if there should be cossasion for in and that this Clause amounted in affect to a now Vote of Credit having, in every Respect the fame Winter and Force who was there fore, of Opinion that it ought regularly to pass a Committee of the whole House, and gol through all the Forms which did not feem to be intended; he also remarked, the Instructions for the Clause were given when the House was very thin, and that Gentlemen, who knew nothing of the Matter, might be surprized, when they found that a Power had been given to borrow fo confiderable a Sum.

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Mr E S P faid, that the Observation, made by the honourable Gentleman on the Floor, was just; and that, as the Power of the Crown to borrow, in Virtue of the last Year's Grant, ended on the 25th of the next Month, the extending that Power to a surther Time, with Respect to 100,000 Lought to be considered, to all Intents and Purposes, as a new Yote of Credit, and ought to go through all the proper Forms.

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Mr

Mr. P. T., the A. G. faid, that he always intended it should go through such Forms as were proper, and that hitherto all the proper Forms had been attended to, it having already been mentioned in the Committee of Supplies; there was great Reafon, he faid, to believe that the Civil and Military Establishments, and other Exigencies of Government, with the Interest upon the Loan, and the Money to be laid out in the Improvement of the Kingdom, would exceed the Ordinary Revenue, and the Ballance in the Treasury, about 95,000 la and that it would be a more natural and eafy Method to provide for that Exceeding by the Clause of the Money-Bill in Question, than to give sinew L12 Vote

518 Debates relative to the [DAY XXVII. Vote of Credit, and had been thought fo, both by the Committee of Supplies, and that of Ways and Means. He added, that it had been mentioned by the honourable Chairman of both those Committees, when they were near as full as they had ever been; and that he was very forry any Gentleman should suppose that a Surprize was intended. If any Gentleman, he faid, was of Opinion that the Power of borrowing, the yet unborrowed 100,000 l. should not be given by a Clause, in the Money-Bill, they would have an Opportunity of objecting to it while the Money-Bill was passing. He observed also, that the Supplies voted, must be made good, which could not be done without empowering the Crown to raise Money for that Purpose; and that therefore, nothing but the mere Mode of granting this Power could be in dispute, and he concluded, by faying, that the very Sum, remaining unborrowed, was an irrefragable Proof, that no more had been raised than had been wanted, and that the Crown having, in so recent an Instance, had Credit for a much larger Sum than had been taken up, had given a Proof of Occonomy that deferved the greatest Commendation and Conloney-Bill in Onestion, than to giv sonoli

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Dr L— replied, that he was very forry the honourable Gentleman should suppose he had the least Notion, that a Surprize was intended; my Words, (says the Doctor) were "Gentlemen will be surprized at the Clause," and not "Gentlemen were surprized into it;" and I should not, says he, have made my Remark, if the honourable Gentleman had not said, when he was preparing a Clause to bar the Vice Treasurers Appropriation of Fees, that the Clause, was intended merely to prevent Disputes, as he thought no Vote of Credit would be wanted.

If dipport of this Motion, Mr. L ... or

palisted on the great Utility of these Alle

there being no other of the tapte Kind in that

Part of the Country; a very great Quantity

of Whors, he feld, had been ground by the

the last Year, and a confunt Supply of I

tent to Itables, which describated to love

with the groung the Life, lad, the

Committee, is projected to ensure how it less

beer expanded the property of the second of

very that if and judicionly uled, and that

the Price of that moselfily Countyodis.
• **MOM** also that the Ploney which is iven already granted by Varliament to be

the heart is Conden, That a Surpcice was in

De La replied, that he was very forr

tended; my Words, (tuys the Doctor) were

A Grail Lad word the House in place in the House of the House of the House of the House of the King that the House of the King that the House of the King that the House of the King to the House of the

In support of this Motion, Mr L—expatiated on the great Utility of these Mills, there being no other of the same Kind in that Part of the Country; a very great Quantity of Wheat, he said, had been ground by them the last Year, and a constant Supply of Flour sent to Dublin, which contributed to lower the Price of that necessary Commodity; he observed also, that the Money which had been already granted by Parliament to Mr Mervin, for erecting these Mills, had, by a Committee, appointed to enquire how it had been applied, been reported to have been very faithfully and judiciously used, and that the

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derflood it to be a Rule of the House not to grant any Bounties to private Works, or Manufactures and that if they really were of the Utility, that was pretended when Bounties were applied for, they must necesfarily be of great Advantage to their Propriethat Applications in behalf of public Works, of the greatest importance had been rejected upon a Principle of Occonomy, which it would be abford and injurious to violate in favour of particular Persons; he therefore, hoped that no Precedent would be established so repugnant to the Honour of the House, and the Interest of the Nation, and, for his own Part, thould be against the ried in the Africmative or againft 36 noitoM

Dr C L faid, that he always confidered Addresses to his Majesty for Bounties of this Kind as an unconstitutional Measure, as one Part of the Legislature was intirely excluded

^{*} See the Motion and Order, page 306, and 307.

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by the Application; and besides that those Works could be of no Utility to the Public, which did not themselves abundantly reward their Proprietors; that a confiderable Bounty had been granted to this Undertaking already, which made it still more; improper to comply with the present Demand, which he was amazed how any Member of that House could make. He had, he faid, a great Efteem for the Character of the Gentleman, in whole behalf the Address was proposed, and did not doubt but that the Money would be faithfully applied to the Use intended; but, he said, as the House had refused Money, even to build and repair Churches, they could not without the greatest Inconsistency, grant Money to established so repugnant to the slittle a blind

ried in the Affirmative 61 against 36 moits M

Motion of Mr. H.— F.— that "This House will not proceed upon any Petition, or Motion to address his Majesty for granting any Sum of Money this Session, for the Encouragement of private Undertakings."

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But before Mr F— made this Motion, Mr W— P—, the V. P. said, that he thought it ought to be deferred a few Days, because coming just after an Address had been voted for a Sum to encourage a private Undertaking, it would look as if great Partiality had been shewn to Mr Mervin.

Mr E Soul Paid, that a great Quantity of Geneva was imported from Holland, as well as of Rum, which was also imported from the Isle of Man, from which a considerable Loss accrued to the Public; and that the Importation of these Liquors was caused by a very high Duty, amounting almost to a Prohibition, on Juniper Berries, and Molasses, to that no Juniper Berries had been imported for two Years; he, therefore, proposed that the Duty on Juniper Berries, and Molasses, should be taken off; and that the additional Excise laid upon Spirits, distilled in this Kingdom, should also be taken off, and laid upon all Spirits imported from Holland, which would encourage our Manufacture, and enable us to export a Commodity to the Isle of Man, which was now clandestinely imported from thence, Mr P-- also represented, that the Drugrit

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Druggists and Apothecaries dealt in a Article called Sperma-Ceti, which was subject to a Duty of 2 s. 4d. a Pound; and that this Commodity was now used in making Candles, which, by many Persons, were presented to those of Wax; and, that, if this high Duty was taken off, it would encourage the Manufacture, and Consumption of Sperma-Ceti Candles, and reduce the Price of Bees Wax, which was a considerable Article in the Linen Trade.

Upon this Representation, a Petition of the Distillers, and the Druggists, and Apothecaries, praying that the Duties on Juniper-Berries, and Molasses, and, also on Sperma-Ceti, might be taken off, was read; and a Paper containing the Opinion of the Merchants, and Sugar-Bakers of Dublin, in the Support of it. In consequence of which the Petition was referred to the Grand Committee for Trade.

Dr C— L— introduced a Petition of the Sedan Chairmen of Dublin, fetting forth, that they had long laboured under great Difficulties, on account of a heavy Tax, of 42 s. a Year, on each Figure within the City, and that

that in London and Westminster each signed Chair paid but 10 s. a Year, though the Hite is much greater; and praying Relief.

The Petition was referred to a Committee, and a Committee was appointed accordingly.

Mr T D introduced a Petition on Behalf of the Merchant Adventurers of Dublin, fetting forth that many Banks, Shoals, and Narrows, rendered the Navigation of the Harbour of that City extremely difficult, and dangerous; and that a Number of skillful Pilots would be a Means of saving the Lives and Properties of many; and praying leave to bring in Heads of a Bill touching such Pilotage.

This Petition being read, Mr \tilde{J} — G—, the Rive of the City of D—, spoke to the following Effect of monocard and I and I are Utility and I monocarde of four of the Ottom of the Otto

Pilotage, as is now apple of or, is univerfally known and acknowledged: It will be of the

greatest Advantage, not boly, to t8aMity of

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The Corporations of the City of Dublin have; by their Charter, an undoubted Right to that Part of the Harbour with Respect to which

which the proposed Act of Pilotage must take Place; and if this Act should be framed, so as to give separate Powers to the Pilotage, independant of the City of Dublin, it would be productive of such Law Suits, sounded on a prior Right, as might defeat the Purposes it is intended to answer; for this Reason a particular Knowledge of the Charter should be acquired, and, as the necessary Enquiries will take up some Time, I think this Petition should be referred to a Committee, in the general and usual Way, upon the Report of which the House may be enabled to form such an Act, for regulating the Pilotage, as will be liable to no Exception.

bring in Heads of a Bill touching theh Pilo-

Mr S-,

I think the Delay and Trouble of referring this Petition to a Committee is unnecessary: The Utility and Importance of such an Act of Pilotage, as is now applied for, is universally known and acknowledged: It will be of the greatest Advantage, not only to the City of Dublin, but to the whole Kingdom, and to all other Nations that Trade with it: No private Claim, therefore, of the City over the Har-

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Harbour, should be suffered to delay or obstruct the Progress of the Bill in Question, which ought to have no View but the Pilotage; and how to make it most effectual in that View, the House may immediately consider, without the Delay of referring it to a Committee.

To this the R— replied, that it was the usual and established Method to refer all Petitions to a Committee; that, in this Case, it was particularly necessary, for the Reason he had alledged, and that no great Delay or Obstruction could happen by it, as the City of Dublin would heartily and zealously concur in the Measure, and do every Thing that might forward it, as far as was consistent with their own Rights, which he was sure might be made perfectly compatible with it, and, therefore, it was pity they should be unnecessarily made to clash, by Precipitancy or Inattention. He therefore moved that it might be referred to a Committee.

To this Dr C — L— agreed, but said, he hoped the Committee would be well attended.

528 Debates relative to the [Day XXIX

Harbour, (hould be fulfered to deluon), rucourly a The Petition was, therefore, referred to a Committee, appointed to a configuration of the state o

that Viewathe House may immediately con-

TUESDAY, Nov. 29, 1763.

TWENTY IN INTH DAY.

HE Honfe, according to Order, refolved itself into a Committee of the whole House, to take into Consideration the Loan-Bill ; of this Committee Mr B- was Chairman, and when the Clause which had been inferted in the Bill, according to the Instruction of the Committee of Supplies, and the Resolution of the Committee of Ways and Means, for enabling his Majesty to borrow the Sum of 100,000 l, that remained unborrowed of the 400,000 th which the Crown had been empowered to borrow the last Year of the ordinary Supplies should fall short, was read *, Mr L-O- got up and spoke to the following Effect: hoped the Committee would be well attended.

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Year 1761, for the Aid of confiderable Suns, which were accombigity of Med. Now two

I rise up to object to that Clause, which alters the Nature of the Bill in which it is inferted, from all the Bills of the Kind that have eyer been known before; for it makes it at once a Loan Bill, and a Bill of Credit. That Gentlemen may fee how different the Credit now given is from the Credit hitherto given to Government. I shall beg leave to state the Progress of that Credit in as regular and succinct a Manner as I can. In the Year 1715, a Time when we were involved in all the Danger and Distress of a Rebellion, this House, sensible of the uncommon Exigencies of the State, gave an unlimitted Vote of Credit to Government, which, I hope, no such Danger and Diffress will ever make necessary again. In the Year 1733 another Vote of Credit was given; and another in the Year 1741. The late very expensive War, and the Danger of an Invasion from abroad, compelled the Ministry to represent to the Lord Lieutenant, the Necessity of putting the Country in a State of Defence, upon which two Applications were made to Parliament, one in the Year 1759, and the other in the Year Harl

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Debates relative to the TDAY XXIX Year 1761, for the Aid of considerable Sums. which were accordingly granted. Now two Things are to be confidered in the Course of this Credit; first, it was always given in Consequence of an Application from the Ministry to this House, in Times of Danger and Distress; and, secondly, that the Bill of Aid went regularly through the Committee of the whole House, and through all the Forms which have ever been held effentially necessary to a Measure of so much Consequence to the Nation; neither would an Application from Government have been effectual, if it had been founded upon imaginary Danger, or chimerical Wants; the House never opened the public Purse till it was fully convinced of the Reality of the Exigencies that were fuggested, and, even then, it was done with all the Caution, Circumspection, and Deliberation that becomes those who dispose of Money that has been deposited, as a Trust, in their Hands. But how different from all this is our present Conduct? We now, when there are neither Wars, nor Rumours of Wars, when there is no Danger without, nor any Occasion of uncommon Expence within; when his Majesty has been graciously pleased to tell us, that nothing more than the usual Supplies Chall

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thall be demanded, and recommends to us the leffening the National Debt, we are now without the least Colour or Pretence, contrary to all Precedent, and, in a most unparliamentary Manner, granting an Aid of roo,000 l. without either Solicitation, or Request, by lugging a Clause into a Loan Bill, for that Purpose. I am forry to fay, that the Introduction of this Clause has been managed when the House has been very thin, and when nothing of the Kind was expected; and I most earnestly entreat; that every Gentleman of the few that are now prefent, would confider the fatal Tendency of the Measure in Question : Let as not lightly give up a Prerogative on which our very Being depends, the Power we have over the public Money; by letting it, as it were, hip through our Hands, and, instead of giving it, fuffering it to be taken. From our tenacious Care, and cautious Disposal of the public Money we derive Power, both from the Crown, and from the People; the People think us worthy of Confidence, and the Crown of Attention. But if we give our Money unasked, and unexpected, we undervalue our Grants on one Hand, and betray our Trust on the other ; we lavish our Treasure merely to make ourselves cheap, and so, by one Act, be-

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Debates relative to the [DAY XXIX. 532 come both poor and contemptible. Yet we should, even for the Sake of the Crown, and of our Sifter Country, keep the Power and Importance that is still left us, and be faithful over our fingle Talent, that, in a Day of Danger and Diffress, such a Day as we have seen, and fuch as we may fee again, we may have it in our Power not only to defend ourselves, but to affift our Protectors." But, besides these strong, and, in my Opinion, itrefragable Arguments, against this Vote of Credity for to I must call it, passed in this Manner, and at this Time, there is the Danger of the Precedent, which should by no Means be overlooked ... Lam fully perfunded of his Majelty's gracious Intentions towards this Country, and have no Doubt but that our present Lierd Lieutenant will perfevere in that benevalent Disposition, which has hitherto fo nobly diftinguished him ; but, from the Nature of Things, he must, at length, give Place to another, who may not be equally worthy of our Confidence, but who will not fail to expect a voluntary Grant of the fame Kind, as there can be no Time in which there will not be as good, if not better Pretence for expecting it than the prefent: If we do not grant it shall we not incur the Charge of Partiali-01 10 ty? 21700

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ty? and, if we do, shall we not incur a yet greater Evil? Besides, it may happen that we may not think it expedient to grant fuch an Aid, even though it should be asked; but, if we render ourselves liable to be reproached, upon fuch Occasion, with having before given, unasked, what we then refuse to a Request, it is easy to see the Jealousy and Ill-Will that must arise, and the Disadvantages that must necessarily accrue to Government from fuch a Disposition. The only Pretence for the Measure from which all these Evils will arise, is, that the Duties may fall short of the Sums that we have voted as a Supply; but as it appears, from the closest Calculation I can make, that there is not the least Danger of fuch a Deficiency, I must put my Negative upon the Clause.

Mr P- T-, the A. G.

I entirely agree with the honourable Gentleman who spoke last, with Respect to the Methods usually practised in passing Votes of Credit; but I am very far from considering the Clause, impowering his Majesty to extend the 100,000 l. unborrowed of the Aid granted the last Sessions, to make good the Supply M m 2

534 Debates relative to the [DAY XXIX. granted, if the Duties should prove deficient, as a Vote of Credit. I believe every Gentleman must allow that the House is under an indispensible Obligation to provide for the Civil and Military Establishment, and for the Payment of Interest on the Loan, besides the Sums that have been granted for the Improvement of the Country; and, notwithstanding the Calculation, by which the honourable Gentleman fays it appears that the Duties will not be deficient for these Purpofes, I will take upon me to fay that they will be deficient : He will find, by Experience, that his Computations upon the Sums, which the Duties are supposed to raise, has been too large, and I am of Opinion that one Article will fall short no less than 100,000 /. It was upon the closest Calculation that it was thought necessary to empower the Government to borrow the 100,000 l. in Question; the Deficiency was foreseen, and, therefore, it was provided for; and, in this Particular, the Clause objected to, essentially differs from a Vote of Credit. All Parliamentary Aid that is given to Government, at its own Request, is given with an unlimitted Power, as to the Application, and before a Grant thus unlimitted and unappropriated is made, it is very natural

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DAY XXIX.] Affairs of IRELAND tural and proper that a folemn Enquiry should be fet on Foot how far it is necessary, as nothing but absolute Necessity should induce the House to vest such a Power in the Crown. Thus a Vote of Credit is always in Confequence of an Application from Government, because, in Times of War, and general Diftrefs, when alone fuch Applications are made, Government only can perfectly know the Danger that is to be guarded against; and thus the Disposal of Money, raised on a Vote of Credit, must always be left to the Discretion of Government, because it is one of the Prerogatives of Government to direct how a War shall be conducted against our Enemies, and what Measures shall be taken for our own But how different is the Purport of the Clause now under Consideration? Clause gives a Power over 100,000 l. upon an express Condition, that the Duties granted for the Supply, shall fall short, and expresly appropriates that Sum to make good such Deficiency. This Clause, as it does not give the Sum of 100,000 l, with an unlimitted Power as to the Application, neither does it give that Sum at the Requisition of Government; the Money is given to make good our own Engagements, and is, therefore, properly Mm3

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536 Debates relative to the DAY XXIX. of our own Motion; nor does it follow, that, because it is unasked, it is unnecessary, as has been infinuated. Let me state the Case more particularly, and beg that Gentlemen would dispassionately consider it. The Parliament first agrees to the Support of a certain Civil and Military Establishment; to the Payment of Interest on a Loan after a certain Rate; and to expend no less than 96,000 1. in the Service of the Country: certain Duties are laid to supply the Sums necessary for these Purposes; it is found, upon a very exact and diligent Calculation, that the Duties will fall short; but the Faith of Parliament is plighted to provide for its own Appointments. Interest to the public Creditors must be paid; the Civil and Military Establishments must be supported, and the public Works, already begun, must be carried on. What then is to be done? We have but one Alternative. must either lay on new Taxes, or we must enable the Crown to borrow now what we had enabled it to borrow before, and what, not having wanted, it had not before borrowed. The laying on new Taxes, equivalent to the Deficiency, is not, furely, a defirable Meafure; it would, in the first Place, be extremely difficult to lay them on, and, in the next Place,

DAY XXIX.] Affairs of IRELAND.

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Place, still more difficult to take them off. No new Duties have been laid upon this Kingdom fince the Year 1727, which is now near forty Years ago; and do not let us begin to lay new Taxes now, in a mere Fit of Caprice, starting out of a plain Road, like a vicious Horse at the wagging of a Straw, and running into a real and lasting Disadvantage from a mere Phantom, a Bug-Bear, existing only in our own Imaginations. What should alarm us, if we judge like rational Beings, in appropriating a certain Sum to a certain Purpose, for the Preservation of National Credit, and the Prevention of Supernumerary Taxes! What should persuade us that the Sum thus appropriated will be misapplied? should induce us to think those unworthy to be trusted with Money, who have given us an Instance of Integrity and Occonomy in the very Sum about which we are debating, which is Part of 400,000 l, that they have not borrowed, though they were invested with a Power fo to do; and, why should we suppose that the very Persons who would not unneceffarily spend our Money last Year, will spend it unnecessarily the next? Let me also obferve, that this Moderation was not accidental, or fingular, it did not arise from a casual M m 4

Debates relative to the DAY XXIX. Inattention, nor from overlooking an Advantage, which, at other Times, had always been secured; for no less than 200,000 l. remained unborrowed of the Loan before the last. Gentlemen have mentioned the Clause, under Confideration, as a Precedent of bad Tendency; I have, I think, great Reason to hopethat this Country will not again be under the same Circumstances that make the Clause necessary; but, if it should, a right Measure can never be a bad Precedent, and it must, at all Times, be prudent to fecure the Honour of the House, and to support the public Credit, by a parallel Measure, in parallel Circumstances; I shall therefore give my Vote against any Amendment.

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Mr J- Fitz-G-.

I am forry to say that I have the Missortune to differ from the very learned Gentleman who spoke last, in every Particular. I do not think that we are reduced to what the honourable Gentleman is pleased to call an Alternative of new Taxes, or a Vote of Credit for 100,000 l. I say a Vote of Credit, for such it appears to me. It has been infinuated, that this Vote of Credit is to stand in the Place of new Taxes; but I must beg leave to say, that

that it will make new Taxes necessary, fo that it is a Sword with two Edges drawn against this unhappy and distressed Country; it is a new, unprecedented, unparliamentary, and dangerous Mode, of giving the Government Power over the Money of the Public, and it is not only a certain Source of new Taxes, but a probable Cause of their Perpemity. Is not Interest to be paid for this 100,000 1.? and how are we to raise Money to pay this Interest, but by new Taxes? not this Interest to be an annual Burthen, till the Principal is paid off? And, is it probable that, if we proceed as we have begun, we shall be able to reduce our Public Debt? One of the great Evils of what is called borrowing and funding is, that the fame Taxes must be levied in Time of Peace, as during a War; and that the Burthen laid on, during the greatest Exigency, must be continued on our Shoulders, when the Exigency is over: It is also equally true, and equally to be lamented, that, by borrowing and funding, we shall, in so short a Time as twenty Years, have paid 40 s. in the Pound for all the Expences of State, even with Respect to that Part of the Public Debt, which we will suppose to be then paid off: If we borrow this Year 100 1, to defray

140 Debates relative to the [DAY XXIX fray the Expence of some Exigency, and im. mediately apply it to that Purpose, it is manifest, that if we pay Interest for this Sum, as. ter the Rate of 5 l. per Cent. we shall, at the End of twenty Years, have paid just as much for Interest as the Sum borrowed amounts to. and that if we then repay the Sum borrowed, we shall pay just 200% for the Expence which 100 ! would have defrayed. I shall not, however, enter farther into this Subject; that the Clause now in Question is without Precedent, that it is ill-timed, that it is unneceffary, has been proved with fuch Force, both of Reason and Eloquence, that it would ill-become me to use any Arguments for the same Purpose. I shall only say, that if we are to increase the Public Debt, at a Time like this, I cannot conceive when it is to be leffened. A fuccessful War is just concluded, and all Europe is in a State of profound Peace, yet we have struggled in vain against an Increase, not only of our Civil but Military Establishment, without the least Hope of being able to provide for them, fince no Plan of any Extent, or Consequence, has been proposed with Respect to our Commerce, Trade, of Manufactures, from which a reasonable Expectation may be formed, either of Population,

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DAY XXIX.] Affairs of TRELAND. 541 or Riches. Next Year, therefore, it may be necessary to provide for a larger Sum, in the Loan-Bill, than at present; and the Precedent we are now fetting, will, doubtless, be alledged for fuch Provision; but this is not all, the very Vote of Credit, now in Question, on which others will be founded, may itself be the Caufe of our being in a worfe Situation than if it had never been granted. Suppose a Demand should be made for a certain Sum, by the King's Letter, will not fuch Sum be paid out of the Treasury? And will not the Revenue fall so much the shorter on that Account? And is it not then to be made good by extending the Power of borrowing, to the 100,000 l. yet unborrowed? Is not the Vote, for extending this Power, to all Intents and Purposes, a Vote of Credit, notwithstanding any formal or nominal Distinctions, which have been made to infinuate the contrary? If we give no fuch Credit, Government will have no Encouragement to over-draw, and get into Debt, because, in that Case, the Debt would come immediately under the Notice of Parliament, and Parliament might either provide for it or not, as might be thought proper. Here the Money is provided for before-hand, and if it should be taken up with-

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542 Debates relative to the [DAY XXIX. without the Revenues falling thort, I do not fee how we can be redreffed; why then, to avoid an uncertain Evil, should we incur one that is certain? Why, because the Revenue may fall short, should we give an unprecedented Power over 100,000 l. every Penny of which, for ought we know, may be mifapplied, and if it should be so, leave us without Remedy against the Misapplication. It has been, I think, universally allowed, that the most effectual Way to preserve Innocence, is to avoid Temptation; let us now act upon this Principle, and not lay a Temptation in the Way of Government, to take an illicit Advantage, which, at present, it seems neither to Expect nor Defire; the worst that can happen, if our Revenue should fall short, and this extraordinary Provision is not made to supply the Defect, will be, that some of our Pensioners must wait a little longer for their Money, and some of our Public Works must stand still to settle upon their Foundations, before the Weight of the rifing Superstrucsure is encreased.

Mr J—G—, the S. G,

It amazes me, in the highest Degree, to heer

DAY XXIX.] Affairs of IRELAND.

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hear Gentlemen talk of the Honour and Dignity of this House, and, at the same Time, recommend to abfurd, and puerile, an Inconfiftency of Conduct, as one Day to vote a Civil and Military Establishment, the Payment of Interest for a public Debt, and the Construction of Public Works, and the next to scruple the making a Provision for the Supply of Money necessary for those Purposes. Gentlemen have faid, that the Manner in which it is proposed to make this Provision is unprecedented; perhaps, the Terror inspired by its supposed Novelty may abate, when they are told that what is now proposed to be done here, is done always in England, but with this effential Difference, that there the Extension of the Credit is certain, and here it is contingent; if it should be extended, though the Contingency does not happen, and so the Money be misapplied, contrary to the declared Intention of the very Claufe, which gives Power to extend it, this House may certainly call the Ministers of the Crown to an Account for it, and Gentlemen must know very little, indeed, of the Power of this House who suppose the contrary. Government can never be supposed to have the same Power over a Sum that is ap-

Debates relative to the [DAY XXIX 514 propriated, as over a Sum that is not appropriated, and, therefore, a Clause respecting an appropriated Sum is not a Vote of Credit, but stands in the Place of new Taxes, though it is on all Accounts more eligible, as my dearned Friend on the Bench before me, has already observed, for, if new Taxes should produce a Surplus, and it is fearce possible they should not, if they are laid on so as cortainly to prevent a Deficiency, fuch Surplus will be wholly at the Disposal of the Crown, so that the Clattle now proposed seems to be the only Expedient, to avoid the disadvantage both of a Surplus and Deficiency. The Surplus would be a total Loss to the Public, and as to the Deficiency, I am exceamly furprized to hear the learned Member, who spoke last, make so light of it; he affects to treat the short Payment of Pensions, and the Interruption of public Works as Triffles; but, furely, it is not a Triffle to cut off the Bread, which the Faith of Government is pledged to fupply; it is not a Triffle to render the Sums already expended on public Works ufelefs, by fuffering them to run to ruin before they are finished, which must be the Case, If their Progress is interrupted. I am allo furprized that we should be reproached with laying -010

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laving Temptations, in the Way of Government, by a Work of pernicious Supererogation, because Government has not applied for the Clause under Confideration; it is not possible, in the Nature of Things, that the Government could apply, for the Government could not know that it would be neceffary; but we know that it will be necessary, and, therefore, we ought to infert it without Application: It was incumbent upon us to make good our own Engagements, nothing more is now proposed, and it is aftonishing that any Gentleman should propose less; for all these Reasons, I shall vote for the Clause as it stands.

Mr J- H- H-, the P. S. spoke with great Force and Eloquence, in favour of the Clause, and made a Calculation of the Produce of the Revenue, at a Medium, for fourteen Years past, by which it appeared to fall somewhat short of the necessary Supply; he computed it also for the last two Years, and, upon this Computation, it came pretty near to an Equality; he, therefore, hoped, he faid, that the Deficiency provided against would not happen, but no Risk ought to be run, empassere ask no sull aw

\$46 Debates relative to the [DAY XXIX.

leving Tembrations, in the Way of Covern-Mr H-F- replied, that as the honourable Gentleman had allowed this Method of granting a Credit, to be attended with dangerous Consequences, he wondered he should adopt it, especially, as he had also admitted, that there was a great Probability of its being unnecessary, Him is that would want but will synd

end therefore, we ought to infert it we hout The Question being then put, the Clause was agreed to without Amendment.

The House adjourned till Saturday next

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all these Reasons, I shall vote for the Clause Lots to Live abnufferi as

e for a part of the angelous ly further McMr. H. H., the P. S. fooke with great force and Elequence, in lavour of the Cacle, and made a Calculation of the droduce of the Revenue, at a Wiedium, in fourteen Years past, by which it appeared to fall fomershat thort of the necessary Supply, inc computed it also for the last two Years and, upon this Computation, it came pretty near to an Equality; he, therefore, honed, he faid, that the Deficiency provided sainth off ewould not happen, but no Rift ought to be ten, paris property and there ? Tax

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at he will die be in Town till Thirty SATURDAY, Dec. 3, 1763.

that the Perfon whole Buffners it is to char THIRTLETH DAY.

Mr E- S- P-

" Order d, That the Officer, of Offi Mr. Stone I no sgaffo Toda sgualo odw "

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Sometime ago, Sir, mentioned to this House, my Intention to complain of a Breach of Privilege, with Respect to a Letter that was directed to me, and charged at the Post-Office. I observed, that I thought it the Duty of every Member of this House to support its Dignity, by supporting his own Privileges; and that fending and receiving Letters free, was a Privilege which I should be very forry to see infringed. I mentioned these Particulars, Sir, that Gentlemen might think it worth while to attend on the Day appointed; but the Question was deserred on that Day, because a Right Honourable Member, who had declared his Intention to support the Rights of the Post-Office, against what I imagine to be the Privileges of the House, was not present. I am informed that] this Gentleman is now out of Town, and, Nn

that he will not be in Town till Thursday; I, therefore, beg leave to appoint Friday next for the Discussion of this Subject, and move, that the Person whose Business it is to charge Letters at the Post-Office, be ordered to attend.

"Ordered, That the Officer, or Officers, who charge the Postage on Letters, in Dub"lin, do attend this House next Friday morn"ing."

Mr Pi- then proceeded as follows:

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I must also take this Opportunity, to say, that though the Schemes which I have from Time to Time proposed for the general Benefit of this Country have been confidered in another Light, and have, therefore, been rejected, yet I think it my Duty to persevere, and shall, therefore, next Friday, make a Motion, which I think of the highest Importance, and if other Gentlemen shall be of a different Opinion, I must content myself with the Consciousness of having done my Duty, according to the best of my Judgment, and the utmost of my Abilities. I also beg leave to bring in the Heads of a Bill, for the better 15117 11

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Ordered, That leave be given to bring in Heads of a Bill for the better Regulation of the Butter Trade, and to prevent Frauds, and Abuses, in the making of Butter-Casks; and that Mr P—, Mr L— O'B—, and Dr L—, do prepare and bring in the same.

Mr T D faid, that he considered the Country to be in such Danger from its Debts, Incumbrances, and the late Vote of Credit, as must alarm every Body, and that he was very solicitous to do all in his Power, that might keep off the evil Day of a Land-Tax, as long as possible, that with this View he begged leave to move, that

"No Money be granted for the making of new Canals, or rendering Rivers Navigable, or for improving Harbours, or Quays, at the Public Expence of this Kingdom; and that no Money be granted on Petition, or by Address, for any new Work, or Manufacture, till this Nation is free of Debt."

Mr

then Regulation of the Butlet Trade, and

Mr J G , the S. G. faid, that there was a Work, for which 5000 L had been already granted, and for which a further Aid would be necessary, that he hoped would be excepted out of this Refolution: This Work he faid, was the building proper Offices for keeping the Records of the Kingdom, which were now kept in the Inn's Quay, a Place in the highest Degree improper, being in perpetual Danger from Wind, Water, and Fire; the Building, he faid, was fo crazy, that it was liable to be blown down by every rude Gale that blew, and, being pervious to the Rain, was so damp, that the Remains of it were rotting away, and the Records in danger of being obliterated, and destroyed; that to prevent the Effects of the Damp, great Fires were constantly kept, which exposed it to Danger of another Kind equally to be dreaded; that upon the Records kept in this Place, the whole Property of the Kingdom depended; and, therefore, he hoped no Resolution of the House would be taken, that should bar the providing for them a Place of greater Security. 1 aboth A ad to middete, til took Narion after off letter off lette.

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Mr D- replied, that he could have no Ob-

DAY XXX.] Affairs of IRELAND. Objection to a Work, which was already voted to be necessary, and which was incontestibly of the greatest Importance; and that he meant only to discourage Applications to Parliament, for Money to be laid out in new Works, Enquiries concerning which interrupted the Business of the Session, and diverted the Attention of Parliament, from National Concerns; to lay out Money on Projects of this Kind was, he faid, confidering the State of the Nation, like a Man's running in Debt to adorn his Grounds with Serpentine Rivers, and Gravel-Walks, which, before they were finished, would oblige him to fell his Estate to fatisfy his Creditors. and that it it appeared

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no bMr E— S— P— faid, that however Gentlemen might be inclined to the Practice of a fevere Occonomy, he was perfuaded that no general Resolution of the Kind proposed, would be thought binding to the House.

The R—t H—ble Mr F— A— faid, that though he was so ill with a Cold, as scarce to be able to speak, yet he could not help giving his Opinion against any such general Resolution, as had been proposed, as there could be no colour of Reason, why Gentle-

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Debates relative to the DAY XXX. men should tie themselves up from giving fuch Affistance as might afterwards appear necessary, to Undertakings that might produce Advantages for the Money laid out, in the Proportion of Ten to One; which was by no Means an improbable Cafe, in a Country the most capable of Improvement; in the known World. That when any fuch Propofal should be made, Gentlemen ought to be at least free to confider it; that they would be as able to judge of the State of the Kingdom, and to determine whether it would be expedient to grant Money for Improvements then, as they were now; that if the Grant of Money appeared to be improper, no Money would be granted, and that if it appeared proper to grant Money, it was very fit they should be at Liberty to grant it, and secure the Benefit of an advantageous Proposal to

Mr A— Mac A— said, that he would never give his Voice for such a general Resolution as had been proposed, which he considered as a Disgrace to the House, because it implied an Inability to judge properly, and impartially, concerning such Proposals as should be laid before it; the very Mo-

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Motion, he faid, implied that the House had a Propenfity to run the Nation in Debt, by Schemes of unnecessary Expence, and placed it in the odious and ridiculous Light of a lofing and infatuated Gamester, who, in a fit of Remorfe, hoped to fortify a Refolution he was confcious he should not keep, by Oaths and Imprecations never to play again. except this Mrs Brown; and among

The Question being put, it passed in the Negative without a Division.

Mr C-, and Mr Fitz G-, were heard in a Committee, as Council for one Margaret Brown, a Creditor of the Estate of Willcocks and Dawson, Bankrupts, against a Bill for transferring the whole Remainder of their Estate and Effects, from the Assignces under the Commission, to Mr Thomas Birth, Merchant, for his own Ufe, upon Condition, that he frould immediately pay a Dividend to the Creditors, of 2 s. 8 d. in the Pound, which, with former Dividends, amounting to 15s. 4d. in the Pound, would make 18 s. in the Pound, and leave but 25, of their Debt unpaid, which might well be supposed to have been spent in Acts of Parliament, Law-Suits, Debates relative to the [DAY XXX]. Suits, and other Proceedings under the Commission.

fould has lookens Schemes, of uppecellary It appeared in the Course of the Pleadings, that Notice had been given of an Application for this Bill, in the Public Papers; and that all the Creditors under the Bankruptcy, came readily into it, as an advantageous Proposal, except this Mrs Brown; and among other Persons that were examined on the Occasion was Mr Wolfe, the principal Assignee, under Willcock's and Dawson's Commission, by whose Ability, Integrity, and particular Attention, an Act of Parliament was procured, under which all the Debts of one Fade, who was concerned in the Bank, and died before the Commission issued, were paid without Deduction; this Gentleman gave it as his Opinion, that Mr Birch's Proposal would be for the Advantage of the Creditors, and the Bill, therefore, was favourably reported by the Committee, of a la & la se to anotified

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with former Dividends, amounting to 151.40. in the Pound, would make 18 s. in the Pound, and leave but 25. of their Debtoon-flow Mich might well be supposed to have been spent in Ads of Parliment, Lavelleen spent spent spent and Ads of Parliment, Lavelleen spent sp

MONDAY, Dec. 5, 1763

be reserved to a. Committee of the whale

THIRTY-FIRST DAY.

MR J— D— moved; that a Breach of Privilege, committed by George Cashell, an Attorney of the Court of Exchaquer, against R— Fitz-G—, Esq. a Methber of this House, by procuring by Surprize, the Postea, or Certificate of a Verdict, to be signed by the Judge of Assize, against the said R— Fitz-G—, during the Time of Privilege, might be referred to the Committee of Privileges and Elections, and it was referred accordingly.

Mr J— B— moved, for leave to bring in Heads of a Bill, for better fecuring the Liberty of the Subject, and leave was given accordingly,

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Mr J— H— moved, that a Petition of Lord L——, that the House would address his Majesty to grant him the Use of 3000 l. for eight Years, upon his giving Security to repay it at the End of that Time, might be

be referred to a Committee of the whole House *; upon which, Dr G L spoke as follows.

TOT CL LAT AL HAT

Mr S____,

Though I am perfectly sensible of the Public Spirit of the noble Lord, who has applied for this Money, and both of his Ability and Intention, to lay it out to the best Advantage, yet I think it my indispensible Duty to oppose its being granted him; it is but a very sew Days ago, since the House unantmously resolved to grant no more Money by Address, to his Majesty, for the Encouragement of any private Undertaking this Sessions +, and it seems to me to be an Inconsistency extreamly unbecoming this House to break through that Resolution; it is true,

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^{*} Lord L— had built a Granery at L—, for the Encouragement of Tillage, in the inward and most arrable Parts of Ireland; and as a Relief against Famine and Monopoly of Corn, and for the Encouragement of Manufacturers, settling in those Parts, and the Money, now applied for, was to Stock it with 4000 Bushels of Wheat.

[†] See the Proceedings of Day XXVIII.

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that Refolutions to do fill are better broken than kept; but this Resolution is not; certainly, of that Kind, as it was formed upon a thorough Knowledge, and lively Sense, of the difadvantageous Situation of this Kingdom, with Respect to the Debts with which it is encumbered, and the heavy Establishments that it bears; as well as upon a Conviction that the Grant of Money, in this Manner, was eventually laying a Tax upon the Subject in an unconstitutional Manner, as the Confent of one Part of the Legislature was wanting. He added, that, granting Money by Address, was a Precedent that might be grofly abused, for though, in the present Case, the Money might be applied to a laudable Purpole, yet the granting it would encourage others to expect and apply for Indulgencies of the fame Kind, and that, as a Confciousness of the Necessity of an exact Occonomy had prevented the House from granting Money for Undertakings of general and public Utility, he did not fee how Money could be either justly or confishently granted to Individuals for private Purpoles | He concluded, by propoling, as an Amendment, that, instead of the Words, It that the House will take into Confideration an humble Address the Words.

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"that the Honse will take into Consideration
whether it may be proper to present an humble Address" and how to be proper to present and humble Address" and how to be build address.

rough Enowledge, and lively disadvantagons Situation on the

with Refpect to the Debts with want

I remember, that in the Year 1759, it was the unanimous Opinion of this House, that nothing could be of greater Utility to the Nation than public Graneries, as it appeared that a Dearth, very near approaching to a Famine, constantly happened in this Country in the Revolution of about fix for feven Years, either from the Nature of the Climate, or from the imperfect State of Agriculture ; and nothing prevented the Establishment of public Graneries, as well for the Relief of the poor in thek Years of natural Scarcity, as at Scafons when an artificial Scarcity was produced by an iniquitous Monopoly of Grain; but a proper Plan for the Construction of the Buildings being wanting, and, above all, the Regulations under which the Grain was to be bought in and fold out, appearing to be of fo nice and complicated a Natine, Gentlemen were deterred from making the Attempt, as Awell by the Labour and Difficulty of the Undertaking, as by Despair of Success: At therefore feems frange " that now

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DAY XXXI.] Affairs of IRELAND. 559

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now a liberal and public-spirited Nobleman has, at his own private and very confiderable Expence, built a Granery, which is univerfally allowed to be perfectly adapted to anfwer the Purposes intended, now he has appropriated the Use of it entirely to the Public, and undertaken the Care and Management of it, at a very confiderable further Expence of Time and Money, that we should not be willing to affift him with fo trifling an Aid as the Loan of 2000 l. for eight Years, upon Security then to repay it, in Order to determine the Success of the Experiment. I perfectly agree with the worthy Member who spoke last, that Money should not be granted for private Purposes, because we have made a Resolution to the contrary; but I cannot think that though this may be faid to be a private Undertaking, that it is an Undertaking for a private Purpose, so that though it comes within the Letter of the Resolution, it does not come within the Spirit of it. I also agree with him, that this Method of granting Money, without the Concurrence of all Parts of the Legislature, is justly liable to Objections, yet that in this Cafe, fo particularly circumstanced, the Objections may well be overruled. Besides, the Motion now made, is avinapon a general Plan, I cannot but thus

DAY XXXI Debates relative to the only that the Affair may be referred to a Committee of the whole House, where it cannot fail to be more maturely confidered, and, as I think, it bids fair to encourage Agriculture, and to prevent a Scarcity of Bread, the great Necessary of Life, in the very Heart of the Kingdom, at a great Diftance from any Sea-Port, and, as the Interest of 3000 L for eight Years, which is all that we can lose by the Experiment, is a very inconfiderable Sum, I shall vote for the Motion, without any Amendspone Security then to repay it, in ment. ditchinia the Success of the Kaper a

The Question being put upon the Amendment, it passed in the Negative, 108 against 2.

The Question being then about to be put on the Motion, Mr \mathcal{F} — G—, the S. G. spoke to the following Effect:

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Mr J. G., the S. G. w senso ton

Mr S

Mr S—,
In my Opinion, Sir, there is no Occasion for the House to go into a Committee on this Affair, for, however eligible the Erection of Graneries may be, under proper Regulations, and upon a general Plan, I cannot but think that

DAY XXXI.] Affairs of IRELAND. that the Grant of Money for this particular Granery, would be extremely improper. The Establishment of a single Granery of this Kind, under whatever Regulations, cannot, in my Opinion, be of any Service to the Kingdom in general, or even to the County in which it is established, as I told the noble Lord, when he did me the Honour to mention it to me. I have the highest Opinion of his Lordship's Integrity and Public-Spirit; I am under great Obligations to the County of L-, and have a personal Regard for the Inhabitants, among whom I live, and who have done me the Honour to chuse me for their Representative, and, therefore, I can oppose this Project only from a Conviction that it will not answer the Ends proposed. County of L- is, most of it, under Agriculture, so that though well peopled, it furnishes Grain abundantly sufficient for its Inhabitants, nor do I remember a fingle Year of Dearth in it, except one very remarkable Season some Years ago, when there was a Scarcity almost to a Degree of Famine, over the whole Kingdom: But, supposing this County liable to a periodical Dearth, I do not fee how this Granery could obviate any of the Evils it would produce: It is alledged, indeed.

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Debates relative to the DAY XXXI Indeed, that it would alleviate the Diffress of the Poor, But that cannot be the Cafe, because it is intended to be a Repository for Wheat, and it is a known Fact, that the midling and lower Classes of People never make Use of that Grain for Bread, not being able to afford it, when it is in the greatest Plenty. This Granery, therefore, would, in Fact, be only a Conveniency for the Rich; but it would not be necessary even to them, for they would be able to procure Wheat for themselves without it. Befides, if an Indulgence of this Kind fhould be flewn to that County, it might justly be expected by the rest, and would be a Precedent for Claims which could neither be granted with Conveniency, nor refused with Justice. I have, indeed, been always averse to the many Grants of large Sums that we have lately made for the Encouragement of various Undertakings, which, I fear, will never produce any Advantage to the Nation; and, I think, the Ballaft-Office Wall was the only Work to which I contributed with Pleafure, from a Consciousness of its Utility; I shall, therefore, be against the Motion. County liable to a periodical Dearth, I do

not fee how this Granery could obviete any

Mhe Evils it would produce : It is alledged,

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I am forry to fay, Sir, that the very Reason which the honourable Gentleman has given against the Establishment of a Granery at Longford, is, in my Opinion, the strongest Reason that could be alledged for it, its abounding in Grain; in Consequence of this Abundance, Grain can be laid in at a cheap Rate, and, as Longford is in the Center of the Kingdom, it may be distributed from thence to all Parts, as Occasion shall require: His other Objections are equally unfortunate; and, I think, manifeftly conclude in Favour of the Project. He fays, the Grant of Money to this Granery, will be an Encouragement to Applications from other Places; but it cannot be an Encouragement to those who are not in the same Circumstances; and, if the Example of the noble Lord, should induce other Gentlemen to build Graneries all over the Kingdom, equally magnificent and useful, it will be the happiest Thing that could possibly happen; and if we could establish them when thus built, in every Part of the Country, by a mere Loan, without Interest, for a few Years, it would be the best Use we could possibly 00 make

Debates relative to the [DAY XXXI. 564 make of our Money, and the less we have, the more diligent we should be to lay it out with Advantage. But the honourable Gentleman has also objected, that the poor would not be benefitted by Graneries for Wheat, because they cannot afford to eat wheaten Bread; but, though Wheat may be dearer than other Grain, when other Grain is plenty, it does not follow that Wheat, purchased in a plentitiful Country, at a cheap Rate, and laid up in a Granery, would not be cheaper than other Grain, when other Grain is so scarce, as, without a Magazine of some Kind, almost to produce a Famine. It is, indeed, with equal Wonder and Concern, that I hear that Gentleman declare, that, in Confideration of our pecuniary Necessities, he could not, willingly, give his Consent to the Grant of Money for any public Work, except the Ballast-Office Wall, because that Consideration did not deter him from confenting to the very large, and, I think, unnecessary Establishments, both Civil and Military, which now burthen us; to the Payment of our Money to Foreigners, with whom we have no Connexion, and from whom we can hope no Service; to the Allotment of 50001, to one Person, and 4000 L to another, Sums much larger than that Salari

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DAY XXXII] Affairs of IRELAND, 363

that now asked, not as a Gift, but as a Loan, for an Undertaking that has been always thought of public Utility, and, consequently, universally desired. I am sure if the honourable Gentleman would build a Granery him self, I would be one of the first to vote him a Loan of Money, without Interest, or any other Assistance that should be thought neverthary. To does not still the sug of blood noise

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The S. G. replied, that, when he faid the County of Long ford produced Grain fufficient for its Inhabitants, he had not faid or infinuated that it produced a Surplus; and he observed, that even the filling this Granery in a plentiful Seafon might increase the Price of Wheat to the Difadvantage of the Country, as when Wheat is dear, all other Kinds of Grain become dear in Proportion, as the Confumption of them is proportionably increased He faid alfo, that the honourable Gentleman had miftaken him, in sapposing he did not willingly confent to the Grant for public Works, for that he objected only to the Largeness of the Sums; He said, he believed that when Gentlemen built Graneries, it was nor wholly without a View to their own Conveniency, or Advantage, and, therefore, he Oo 2 thought

Debates relative to the DAY XXXI. thought them less the Objects of public Munificence; that as to the Fortune of the noble Lord, he knew nothing of it, but that he himself had not a Fortune sufficient to build fuch Graneries, if he had, he would not alk for Affiftance from the public Purfe. How I Alb

Sir W O then moved, that the Queltion should be put off till the 20th of January next.

Loan of Money, without Interest, or any

The Question being put on this Motion, it passed in the Negative anidadal an iet moo musted that it produced a Surplus; and he

The S. G. replied, that, when he faid the

The Question for referring Lord L-s's Petition to a Committee of the whole House, being then put, it passed in the Affirmative. when Wheat is dear, all other Kinds of Glain.

Dr C- L- then moved for leave to bring in Heads of a Bill for fecuring the Freedom of Parliament, by afcertaining the Qualifications for Knights, Citizens, and Burgeffes of Parliament, and to vacate the Seat of any Knight, Citizen, or Bargess of Parliament, who shall accept of any lucrative Office or Employment, Civil or Military, or any Penfion upon the Establishment of Grent-Britain nev, or Advantage, and, the bnolar so.

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Been guilty of no Breach of Privilege.

TUESDAY, Dec. 6, 1763.

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THIRTY - SECOND DAY.

Though I always confider the Privileges of

R J G, the S. G. took the Chair, as Chairman of the Committee of Privileges and Elections, and the Committee took into Confideration a Breach of Privilege complained of by Mr J B th, a Member of the House, against Mr Henry Baker.

Mr B-h, the Complainant, alledged, that Mr Baker had, by a Letter pretended to have been written by him the Complainant, prevailed upon one Mr Lloyd to come into a Bog, belonging to the Complainant, and measure it; which Measurement deprived him of Part of his Property; but the Fact of the Letter not being supported by sufficient Evidence, Mr B-M-having summed up the whole with O o 3 great

great Method and Perspicuity, declared it to be his Opinion, that Mr Boher, for ought that appeared, had acted in Pursuance of Mr B-n's Directions, and that therefore, he had been guilty of no Breach of Privilege.

Mr J-G-, R. of D- then spoke to the following Effect:

THIRTY SECOND DAY.

Though I always consider the Privileges of this House as worthy the greatest Attention, and am of Opinion that they ought always to be inviolably supported, yet Inthink it my Duty; upon this Occasion, to explain myself somewhat more fully on the Subject. The Privileges of this House consist in the Exemption of its Members, in some Particulars, from the Laws by which the Wisdom of the Legislature has thought it fit that others should be bound: When a Member of this House, therefore, avails himself of his Privilege, another Subject is, in some Degree injured; for if the Act which invades the Member's Privilege is itself unlawful, there is no Need to have Recourse to Privilege for a Remedy; if the Act is in itself lawful, if it is the Exertion

great

DAY XXXII. Affairs of IRELAND. tion of a Power or a Right which one Subject derives from the Law, against another, the refiraining the Subject from fuch Act, is eventually a Loss and an Injury. The Privilege, therefore, claimed by the Members of this House, is founded only upon this Principle, that a less Evil should always be incurred to avoid a greater, and is an Advantage given not intentionally to the Member, but to the Public. The Members of this House are supposed to be engaged in the public Service, and it is better that an Individual thould furfer by Preclution from a Remedy against the Member, than that the Public mould fuffer by the Member's being incapacitated for the Service he owes to his Country and Constituents, or impeded in the Performance of it. No Act, therefore, against a Member of this House, which does not affect nor impede his Attendance upon it, of the Discharge of the Trust that has devolved upon him, as a Member of it, ought to be deemed a Breach of Privilege, and we ought to be as careful to prevent the Privilege of the Members of Parliament from becoming a Grievance to Individuals, by exceeding the Bounds of its original Intention, as to prevent the Public from fuffering by its Infringement; and, I think, 004

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Debates relative to the [DAY XXXII, 579 our Privilege ought never to be brought in Question, when the Law gives us a Remedy in common with the rest of our fellow Subjects, or when it can only screen us from a Remedy which the Law gives our Fellow-Subjects against us, except only when we cannot do Justice to the Individual, without Injury to the Public. I am, therefore, of Opinion, that, when Questions of Privilege are before us, we should never adjudge the accused Party to be guilty, but upon the fullest Evidence, which, I think, in the present Case, has not been given, and shall, therefore, give my Voice in Favour of the Respondent

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Mr B—n then said, that, as the Letter on which he sounded his principal Evidence, could not be produced, he would beg leave to withdraw his Motion, which being granted, he withdrew his Motion accordingly. He observed, however, with Respect to the Letter, which, if it was not supposed to have been written for him, he must be supposed to have written himself, that he was in the same Situation with a Cobler he had somewhere read of, with whom much Pains was taken to make him believe that he had said and done many Things that never entered into his Head.

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DAY XXXIII.] Affairs of IRELAND. 371

He also begged leave to take that Opportunity of expressing his grateful Acknowledgements to the honourable Gentleman who had filled the Chair with so much Integrity and Ability for the great Patience and Impartiality which he had shewn on the Occasion, and the rather, as Disputes had formerly subsisted between them, concerning the Corporation of the City of Kilkenny.

WEDNESDAY, Dec. 7, 1763.

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HE House being resolved into a Lord Committee, to consider of Lord Lord Petition, Mr J+ H took the Chair.

Mr G. Les then urged the Utility of Graneties in general, and enlarged, with great Force and Propriety, on what had been faid when the Petition was brought into the House; recommending the Experiment as it might be inade upon very easy Terms, and, if it incceeded, might produce very considerable Advantages, it would guitness and the advantages of the control of th

Mr

572 Debates relative to the [DAY XXXIII.

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Mr W To Spoke to the Tame Purpole and observed, that so sudden a Transition from extream Munificence to the most severe Parl fimony would have a very fingular Appear ance. Lord Lan, he faid, had already laid but good, as it was univerfally allowed with an Intention, at least, of serving the Public, and that this certainly gave him t right to expect the Loan of a Sum amounting to little more than half the Money, for fo short a Space as eight Years, upon giving Security to repay it : He said, he could not help taking Notice, upon this Occasion, that enermous Sums had been lavished away upon visionary Schemes, upon Piets that would afford Ships no Shelter, and upon Stream that would run only in the Journals, of that House; and that as we had so liberally given Money to Foreigners for nothing, it was a difgraceful Inconfiftency, not to lend Mone to a Native, who was attempting to benefit when the Petition was brouglythus and

House could commit me greater Inconstitute cy, than the granting Money, in an analyst stitutional Manner, almost immediately after the stitutional Manner the stitu

having made a folemn Resolution to the contrary; and he observed also, that no Evidence had been produced to the Committee, that the Building in Question was properly constructed, or, that the Stocking and Management of it had been put under proper Regulations; and, therefore, he thought it his Duty on all Accounts to oppose the Petition.

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A Motion was then made, That it is the Opinion of this Committee, that an humble Address be presented to his Excellency, the Lord Lieutenant, that he will be pleased to lay before his Majesty, the humble Defire of this House, that he will be graciously pleased to grant to the Right Honourable T- Lord Baron of L- the Sam of 3000 L upon his giving Security, by Recognizance, before the Right Honourable the Lord Chief Baron, to repay the Sum into the Receipt of his Majesty's Exchequers at the End of the Term of eight Years, to be computed from the agth of Marth 1764; in order to enable him to day in a Quantity of Corn, in the Graneries he has erected, for the use of the Public, to be distributed out to the Poor, during any Time of Scarcity. 576

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574 Debates relative to the [DAY XXXIV.

The Question being put, it was carried in the Affirmative; and the Motion was made a the Bailding in shock the Stocking and Managed Area and Managed and the Stocking and Managed Area the Stocking and Managed Area and Managed Ar

Rement of it had been put under proper

THIRTY-FOURTH D'AY

The Commintee with Respect to Lord L—'s Commission, and upon reading the Resolution for an Address to the King in his Behalf, as expressed in the Proceedings of the XXXIIId Day, a Motion was made, and the Question put, that an Amendment be made to the Address, by adding the Words, Provided it shall appear to bis Majesty, that it may be done without encreasing the national Debt.

Receipt of his svitage of the ni bellaq of the Term of eight Years, to be com-

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Then, the Address being read a fecond out to engine House agreed to by the House rected, for the

or On this Day no other material Business was done, during any Time of Searchy, and

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Amendment was proposed by adding Words 1871 C. W. A. Q. I. B. T.

refled to another Person, at a Time when the KA Out HT TANS TONY TENSISH The

City of Limerick, and without any witing

M R E—S—P— made his Complaint of a Breach of Privilege against the Officers of the Post-Office, for having charged a Letter directed to him at Limerick, the City he represents, to be left at his Mother's, the only Place of his Residence in that City, during the Time of Privilege; and the House being informed, that Thomas Jones, acting Clerk of the Munster Road, attended at the Door, in obedience to the Order of last Saturday, he was called in, and examined, touching Mr P—'s Complaint.

After some Time spent in that Examination, Mr F—— presented to the House, the King's Letter, dated the 31st of October 1727, relative to the Privilege of the Letters of Members, which was read.

Then a Motion was made, that Thomas Jones is guilty of a Breach of Privilege, in charg376 Debates relative to the [DAY XXXV.

charging the said Letter; upon which, an Amendment was proposed, by adding the Words, which Letter contained a Letter directed to another Person, at a Time when the said Mr P— was not resident in the City of Limerick, and without any writing for the said Mr. P—.

of a Breach of Privilege against the Amend.
The Question spine and put of the Amend.
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Then the proposed Question being put, it passed in the Affirmative, and Mr Jones was ordered into the Custody of the Serjeant at Arms,

On Saturday the 10th, and Monday the 12th Day of December, being the XXXVIth, and XXXVIIth Days, there was no Debate on any public Subject.

Mr. F.— preferred to the House, the King's Letter, dated the 31st of October 1727, thative to, the Privilege of the Letters of Members, which was read.

AQUITA Motion was made, that Thomas forms is guilty of a preach of Privilege, in charge

with a View to the Public Advantage, but

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ness of doing right is that Reward which Viv A do H THE BUS - VIT A LHT

Integrity and Perseverance may secure; let

Privileges, and Elections, George Ca
bell was taken into Cuftody of the Serjeant at

Arms for a Breach of Privilege, committed

against R— Free G—, Esq. (See the

Proceedings of the XXXIII Day.

Proposal, than in quy gut a hme yet made, to is a Proposal to do what, his Majelly

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I took the Liberty, Sir, to acquaint the House last Saturday sev nnight *, that I intended to propose on the next Friday, an Affair which I thought of great Importance; on that Day other Business intervened, and as an Opportunity now offers, I shall pursue my Purpose: I have hitherto been very unfortunate in the Proposals that I have made

^{*} See the Proceedings on Day XXX.

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with a View to the Public Advantage, but as I observed, on a former Occasion, I think it my Duty to perfevere. The Confciousness of doing right is that Reward which Virtue bestows upon itself, land that Reward Integrity and Perseverance may secure; let the Current, therefore, sun ever forfrongly against me, I am determined to strive against it to the last, and though I may not be able to stop, or to turn its Courses my Refil tance will, at least, prevent my being carried away before it. I have, however, greater Reason to hope for Success in my present Proposal, than in any that I have yet made, for it is a Proposal to do what his Majesty has, in the most gracious and emphatical Manner, recommended to be done, in his Speech from the Throne, the Practice of Occonomy, and the Reduction of our Debt. The Words of the Speech are these "The Situation of Public Affairs will permit a " very considerable Diminution of the Public Expence; and I am only to thank you for past Efforts, without again having "Recourse to the experienced Liberality of "Parliament; I have nothing to ask but a " Continuance of the Supplies, for the Sup-" port of the Ordinary Establishment, which

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ich it "it is hoped, will not exceed the Produce of the ordinary Revenue, and I recommend " to you a proper Attention to the Reduction of the Public Debt ' I am forry there should be any Occasion to enforce an Ade drefs, with which it is fo manifeftly, both our Interest and our Duty to comply, lyet certain it is, that we have for far neglected it; that a Conduct directly opposite to that here recommended, has already brought us to the Verge of Ruin, and, if continued, will plunge us to the Bottom. That I may not appear to create Evils which I do not find, I shall represent the present Situation of this Country by a Series of Facts, too notorious not to be believed, and too formidable not to be feared by which it will appear that we have tamely and filently acquiesced in the Violation of these Assurances, and totally neglected this Advice. We have been so far from being relieved from the Burthen of Taxes, which; when they were indifpenfibly necessary, we were little able to bear, that an unexpected Requisition of Supplies, has been made, with a long Train of Pentions, which exceed the Expence of all other Branches of the Civil Establishment, by above Forty Two Thousand Pounds. The Number of Military Officers

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encreased, not only far beyond what it has ever been in Time of Peace, but even beyond what it has ever been, during the most dangerous War: We have two more Regiments of Dragoons, and four Regiments of Foot more than ever; besides sour old Regiments of Horse; the Expence of general Officers is encreased no less than Thirteen Thousand Pounds a Year, though there were not a fufficient Number of them in this Kingdom, to attend the last Reduction of Forces; the Expence of the Ordnance, is, in two Years, fwelled from Ten Thousand Six Hundred Pounds, to above Forty Five Thousand Pounds, though the whole Artillery of the Kingdom is not equal to the Ordinance of a Frigate of thirty Guns; and every other Branch of the Civil and Military Establishment, is encreased nearly in the same Proportion, fo that the Expence of the Nation for their two Years appears, by the most exact Calculation, to exceed its whole Revenue more than Three Handred and Fourteen Thousand Pounds, which Deficiency being added to the National Debt, we must at the next Meeting of Parliament owe more than one Million. It appears also by Calculation, that the present Establishments in Time of Peace, exd

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acceed the Establishments during the last War. nore than Ninety Seven Thousand Pounds. et us now, Sir, pause a Moment, and onfider what we have been doing; and ow we have availed ourselves of a Sitution of Affairs which admits a confiderah Diminution of the Public Expence; how ve have fulfilled his Majesty's gracious Adponition to attend to the Reduction of our Public Debt, We have granted all the upplies that have been demanded for the upport of these Establishments, however muitable to the Circumstances of the Kingom, however unsupportable to the People. owever contrary to the Declarations from the Throne, however incompatible with an Atention graciously recommended from it. et our Zeal and Affection for his Majesty be ur Apology, and an unlimited Confidence in is Goodness be our Praise; but let us at aft apprize him of the Sacrifice we have nade; let us with all Humility represent the Danger we have incured; let us solicit his Protection, and though we have given up our , and even more than our all, he will not keep it to our Destruction. We have read of a Prince, who, when he was fainting with Thirst, and Water was brought him at the

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Risk of Life refused to drink it; "God forbid faid he, that I should drink the Blood of these Men;" can we then imagine that on gracious Sovereign will drink the Blood of this Nation, that he will use a Power which he has derived from the Ardour of our Af fection to our Ruin? Our Duty both to him, and to ourselves, requires that we should at least apprize him of what we have done that we may not be left to perifh, merely be cause our Danger was not known, nor suffer by a Sacrifice of which the Value to usi infinite, but to him who receives it nothing; for ultimately, his Glory and Prosperity is ours. I therefore move, "That an humble Address be presented to his Majesty, to acknowledge, with the utmost Gratitude, his Majefty's most gracious Acceptance of our past Services. To assure his Majesty of our firm Resolution to pursue such Measures as shall tend most to promote the real Interest and Honour of the Crown. To express the general Satisfaction and Joy, with which his Majesty's most gracious Declarations, communicated by his Excellency the Lord Lieutenant to both Houses of Parliament, at the opening of the Seffion, were received, "That by the Conclusion of a general Peace, we were

blishment is increased, not only far beyond

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Debates relative to the DAY 584 what it ever was in Time of Peace, but even beyond what it was in the Time of the most dangerous War, and would, under any Reign but that of his Majesty, raise just Aprehenfions for the Constitution, not only of this Kingdom, but of Great Britain. That instead of fix Regiments of Dragoons, and Twenty fix of Foot, the most ever before feen in this Kingdom, there are now eight Regiments of Dragoons, and thirty of Foot, besides the Four old Regiments of Horse. That the Expence of general Officers is raifed from Thirty Two Thousand Pounds in two Years, to Forty Five Thousand Pounds, though there was not a sufficient Number of them in this Kingdom to attend the last Reduction of the Forces. That the Expence of the Ordnance is swelled from Ten Thoufand Six Hundred Pounds in two Years, to Forty Five Thousand and Seventy Pounds, independent of its extraordinary Charges, which are very confiderable; though the whole Artillery of this Kingdom is not equal to the Ordnance of one of his Majesty's Ships of War of thirty Guns. That every other Branch of the Military and Civil Establishments are advanced nearly in the same Proportion. That from Principles of Duty and Affection to his Majesty Mr. W

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iefly, we granted the Supplies which were demanded from us, in his Majesty's Name, for the Support of these several Establishments however unfuitable to the Circumstances of the Kingdom, however insupportable to the People. But though the Warmth of our Zeal and Affection for his Majesty, induced us thus liberally to grant those Supplies, our Duty to him, and those we represent, will not permit us to conceal from his Majesty. or the Public, the real State land Condition of this Kingdom, which we shall lay before his Majefty, with all Humility, and cast ourselves at his Majesty's Feet, to implore his Royal Protection against his Ministers That the Expence of the present Military Establishment amounts in two Years, to the Sum of Nine Hundred and Eighty Thousand, Three Hundred and Fifty Five Pounds, Nineteen Shillings. The Civil Establishment to Two Hundred and Forty Two Thousand, Wine Hundred and Fifty Six Pounds, Ten Shillings, and Nine Pence, to which must be added. at the most moderate Computation Three Hundred Thousand Pounds, for the extraordinary and contingent Expences of Government; That these Sums added together, amount to the Sum of One Million, Five Hun-

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dred and Twenty Three Thousand, Three Hundred and Twelve Pounds, Nine Shillings, and Nine Pencel and hat to answer this Ex. pence, the whole Revenue of the Kingdom, the Additional, as well as Hereditary Duties, exclusive of the Loan Duties which are but barely sufficient to pay the Interest of Six Hundred and Fifty Thousand Pounds, the present National Debt, amount to the Sum of One Million, Two Hundred and Nine Thou. fand, and Sixty Four Pounds, at a Medium, for fourteen Years proofthat the Expence of the Nation for these two Years, must exceed its whole Revenue in a Sum of Three Hondred and Fourteen Thousand, Two Hundred and Forty Eight Pounds, Nine Shillings and Nine Pence, which Deficiency being added to the National Debt, must bleave blis Kingdom, at the next Meeting of Parliament, near One Million in Debt. That the highest Establishments we ever had in Time of Peace in this Kingdom, were those in the two Years ending in March 1755, and yet the iprefent Establishments exceed them in the Sum of Two Hundred and Eighty Three Thousand and Twenty Eight Rounds, Nine Shillings, and Nine Pences That during the late expenfivevWar, the Establishments amounted, at

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a Medium, only to the Sum of One Million, One Hundred and Twenty Five Thousand, Seven Hundred and Ninety Pounds, for two Years; fo that the present Establishments, in the Time of Peace, exceed the Eftablishments, in the last War, in the Sum of Ninety Seven Thousand, Five Hundred and Twenty Two Pounds, Nine Shillings, and Nine Pence. That we have already contracted a new Debt of One Hundred Thousand Pounds, though we expected to have discharged Part of the Old. That the Imports, Exports, and Home Confumption of this Kingdom are already taxed, to the utmost they can bear. That any Addition to these Taxes, instead of increasing, must lessen the Revenue. That Nothing now remains to be taxed but our Lands, which are already loaded with Quit Rents, Crown-Rents, Composition Rents, and Hearth Money. That if the present Establishments are to be continued, the Debt of the Nation must constantly increase, and in the End prove the utter Ruin of the Kingdom? That fuch is the true, but melancholy State of this Country, which nothing but his Majesty's most gracious Declarations, fignified to us by his Excellency the Lord Lieutenant, could have given us Confidence to have laid before him

him, and which we do, that his Majesty may judge how far his most benevolent Intentions have been purfued. That we prefume not to point out any particular Method of Redress: fully perfuaded as we are, that when his Majesty shall have been thus fully informed of our real Circumstances, his Wildom, his Justice, his Humanity, will not permit the utter Ruin of a Dutiful, a Loyal, an Affectionate People, in H and to tdell went about

Pounds, though we expected to have discharg-And the previous Question being put, that the Queftion be now put of one Home wing

are already taxed, to the utnioft they can bear. o It passed in the Negative. HALA you tal

nefecting, modelation he Revenue. thing now remains to be attended but our Lands.

which are already loaded with Sun Rents

Crown Report Compot I most fincerely congratulate my honoursble Friend, Sir, in the Enjoyment of that Comfort which the World can neither give nor take away; that Reward of his Virme, the Consciousness of good Intentions to his Country, by which he has diftinguished him felf during the Course of this Sessions, with a Uniformity of Principle, and Confishency of Conduct; which, I am persuaded, will never mid

XXXVIII.] Affairs of IRELAND. never be forgotten. The Joy of his Heart does, indeed, thine forth in his Face; I dare fay every Gentleman present must have observed a Smile of ineffable Gayety in his Countenance, upon certain Occasions, for I have remarked that his Hillarity is contagious: He is not only merry in himself, but he is the Cause that Mirth is in other Men: His Influence is irrefistible, for what else could have betrayed this House into Laughter, while they were liftening to the dreadful Truths that are contained in his Address? The Fascination does, indeed, work fo ftrongly upon me, that I can scarce believe the Address itself to be serious. The more I confider it, the more it appears to be a Jest; for how can we suppose him seriously to propose a Measure totally inconsistent with the Rules of Parliament, and directly opposite to the whole Tenar of our Proceedings? We have concurred in a Civil and Military Establishment, by granting Supplies for their Support : We concurred in them coolly and deliberately, after much Debate, in which the State of the Country was fufficiently canvalfed, and, with the Sanction of a very large Majority; and can any Man feriously propose that we should declare, in a formal Address

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to his Majesty, that, after all this Consideration and Debate, we determined upon the Ruin of our Country? What Reason, or what Colour of Reason is there for us thus to charge ourselves at once with Guilt and Folly, with betraying both our Trust and our Interest, and to beseech his Majesty to find out some Method of counteracting all that we have been doing? Is this acting like the great Council of the Nation, appointed to direct its Conduct, and watch over its Triterefts? And if we thus bring Difgrace upon ourfelves, can we think that his Majesty will suffer his own Meafures to be contaminated by our Folly? Will he disapprove and Establishment which was fettled by his Ministers, approved by himself, and, afterwards, confirmed by Parliament? This, I think, no Man that has not given up all Pretentions to common Sente can suppose; for what End, therefore, shall we spread the Gloom of Discontent and Defpondency over the Minds of the People, fubvert Public Credit, quench the Ardor of Improvement, and reffain the Activity of Commerce? We are now to profit by the Arts of Peace, and if we improve the Advantages that a successful War has put into our Hands, we shall be abundantly able to fulfill all our En-03

XXXVIII.] Affairs of IRELAND.

Engagements, with Honour to ourselves, and Advantage to our Country. I will not deny that our Establishments amount to a larger Sum than they did forty Years ago, but I de ny that this Sum is greater, in Proportion to our present improved State, and the decreased Value of Money , and, if fo, as we have new Regiments, and a greater Number of Officers, we procure these Advantages at an easier Rate than we could procure them then, for the Expence, relatively confidered, being equal, what is procured with it now more than what was procured with it then, is clear Gain. It has, indeed, been infinuated, that the Additions which have been made to our Establishments are unnecessary; but nothing has been advanced to prove it: It has been prefumed, that they are unnecessary, merely from their being new, and it has been haftily taken for granted, that the utmost for which we were formerly able to provide, was the utmost that was necessary; whereas the Truth is, that what is now done was always necesfary, but that when we were able to do it but in Part, we were not required to do the whole; and it would be a very bad Requital for the kind Attention of Government, to refuse to provide for what is necessary, now we

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are able, because we were not required to do it when we were not able. If we look into our old Chronicles, we shall find that there was a Time when a whole Sheep cost no more than we now pay for a Leg of Mutton, but it does not, therefore, follow, that Meat is now dearer than it was then : If a Sheep was bought for a twentieth Part of its present Cost. we must remember that it was also sold for a twentieth Part of what it now fetches, and that the Farmer made that twentieth Part go as far as our modern Farmers do the whole; as the Seller, therefore, was not worse off, neither was the Buyer better; and he that was then taxed one Shilling for the Service of the State, paid as much as he that is now taxed twenty: It is, indeed, true, that this Difference in the Value of Money, does not make pecuniary Ability either greater or less, but, besides, that the Value of Money is decreased, our Commerce and Trade are encreased, as well as the real Value of our Estates: That our Commerce is encreased needs no other Proof than the Decrease of the Value of Money, for nothing can decrease the Value of Money, but an Increase in its Quantity; and for the increased Value of our Estates, I appeal to every Land-Holder that hears

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hears me. The Value of Estates, Sir, is known to have been doubled within the last thirty Years, which is much more than in Proportion to the Difference of the Value of Money. We have, indeed, prefumed upon our Prosperity in one Part of our Proceedings, as much as we have pleaded Poverty in another; we have granted enormous Sums for private Purposes, though we pretend we have nothing to give for the Support of Government: Let this Inconfiftence be added to all the other Inconsistencies which result from the Address now proposed. Let me now obferve, that I have hitherto taken the Calculations that have been made of our present Expences, for granted, and that my Arguments against the Address do not at all depend upon their being erroneous. Yet I cannot help taking Notice that the Affertion with Respect to our Ordnance is wholly unsupported by E-vidence, and is, in itself, improbable in the highest Degree. I must not, however, tres-pass farther upon the Time of this House, by treating seriously a Subject which I cannot persuade myself the honourable Gentleman himself, who proposed it, intended should be seriously treated; and shall, therefore, beg leave to move for the previous Question.

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The previous Question being accordingly put, it passed in the Negative, 130 against 48.

Mr H— F— then said, that as the Time, and, perhaps, something in the Manner of the Resolution which had been just proposed and rejected, might render it exceptionable, he begged leave to move, that a Committee of the whole House be appointed to draw up an Address to his Majesty on the State of the Nation.

The H-ble Mr B- M- faid, that he thought it very unprecedented to propose a Committee for preparing an Address upon the State of the Nation, before a Committee had been appointed to enquire into the State of the Nation, for that the Calculation of a particular Gentleman could not, on fuch an Occasion, be taken for granted; according to this Calculation, fays he, we have been told, that the present Peace Establishment is more expensive than the Establishment during the War; but the Truth is, that the Establishment of the two last Years exceeded the prefent Establishment no less than Two Hundred Thousand for the previous Queftion.

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Thousand Pounds, for this Reason, among others, he declared himself against the Motion.

does not refult from his Premifies, for, taking the laft the Expendent of Peach Vest alling the laft

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Since the Address, which I have proposed, has been thought improper, I do not fee what we can do better than appoint a Committee to draw up one which is not liable to the fame Objections: There are, certainly, fufficient Materials for the Foundation of such an Address before the House; for what I have asferted, with Respect to the State of the Nation, has been taken from the Journals of the House, and the Papers that lie upon the Table, which every Gentleman may confult whenever he pleases. As to my own Calculations, they may be confirmed, or refuted, at a very small Expence both of Time and Trouble; at present they stand unimpeached, and, though fome Gentlemen feem willing to doubt them, they have not been contradicted. One Gentleman, indeed, has faid that the Expence of the Establishment, for the last two Years, exceeds that of the present Establishment 200,000 /, and he has inferred, that I am mis-

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taker

Debates relative to the [DAY 596 taken in affirming that the Peace Establishment now fixed, exceeds the Establishment during the War. This Inference, however, does not refult from his Premisses, for, taking the Expence of each Year, during the last War, at a Medium, the present Establishment does exceed such Medium more than 97,000%. and the Computation, by a Medium, is eertainly the only fair Computation. There is another Particular, in my Favour which I hope, I shall be excused for mentioning, Gentlemen, in their Reply, have thought fit to substitute Declamation for Argument, and, instead of giving a ferious Answer, have affected to believe that a ferious Anfwer was not expected. The honourable Gentleman on the Bench, in the fame Line with me, has thought fit to infinuate, that I had in a from licksome Mood, thrown out a Subject of mere Amusement to the House, that I had only furnished a Tub for a Whale, and that I was fecretly laughing at my own Jeft, when I dif played the melancholy Situation of my Country, by stating incontrovertible Facts. If upon fuch Occasions, Men may be supposed to be merry, I know not on what Occasion they may be fad. Our paying 45,000 l. s Year for the Support of an Artillery less than that 237/12

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XXXVIII.] ods of Affairs of IRELAND. that of a thirty Gun Ship is, indeed, in itself. a ridioulous Absundity, but, with Respect to us, nothing, sturely nocan the more ferious There was formething ridiculous in the decot's citting off the Man's Head, whom he faw fleepingd that he might enjoy the Confusion he supposed he would be in when he should awake and miss it but to the unhappy Sufferer it was certainly no Jeft; and even the By-Stander that could have daughed upon the Occasion would, I believe, have got no Gredit by his Mirthy But at the fame Time that I have been charged with a Delign to make Gentlemen merry L bave been also censured for endeavouring to make them fad t Contradictions are blended that I may be condemned: My Mirth is this Moment faid to be contagious, and the next Moment I am charged with spreading the Glooms of Discontent and Despondency over the Minds of the People. As to these Charges, I need not say that both cannot be true; the Charge of being menty, I have confuted already; and the other, though Ladmit I can certainly justify: If the Publicare thoughtful and melancholly only in Proportion as they have Cause to be for I do not fee why we should wish them to be otherwise: It is not, furely, videfirable that they should

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O Debates relative to the .!! DAY 398 either be ignorant of their Misfortunes, or in. fensible to them, for, in either Case, there can be no Hope of their concurring in any Meafore to remove them, or making any Preparation to fustain them, supposing them to be inevitable. If the Affairs of the Public are in a better State than is apprehended, our Apprehensions can do us no Harm; but, if they are in a worse State, the Mistake may be fatal, At all Events, no good Purpose can be an fwered by keeping the Knowledge of any Facts that are incontestibly true, either from his Majesty, or from the Nation; and, there fore, I most earnestly recommend the finding some proper Method of at least communicating them to his Majesty, in the most submissive and respectful Manners side at drill yM : ho sgious, and the next Moment I am charged with spreading the OctoWeries Discourant and Depondency over the Minds of the People. Astothefe Charges, I need not the tMr both

Whatever may be my Opinion of the Motion that was made by the honourable Gentleman who fits on the opposite Bench, I shall most heartily concur in the subsequent Motion that has been made by the honourable Gentleman on the Floor, whose Steadiness and Uniformity of Conduct give a Sanction to his Pro-

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XXXVIII.] Affairs of IRELAND.

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Proposals, and a Confidence in his Professions. Uniformity of Conduct is a Proof of Integrity, and there is no Reason to suspect him of proflituting his Parts to private Purposes, under the specious Appearance of Patriotism and Public-Spirit, who steadily opposes the destructive Projects of Jobbers, and the Friends of Jobbers, whether they affect in general to thew their Oratory for the Court, or against it. Mere Opposition to Government is, furely of itself, no Proof of Public-Spirit; though it is the only Proof that some Pretenders to Public-Spirit have given to support their Claim, and, I am forry to fay, it has been too readily and too generally admitted. There is a Kind of native Pride in Man, which is gratified by opposing Power, without considering how it is exerted, and which is ever ready to infer the Abuse from the mere Possession of it. Defigning Men, therefore, have always endeavoured to recommend themselves to popular Assemblies by this Artifice, and by a restless and talkative Officiousness, some have wringled themselves to the Head of a Party, and affected to take the Lead against Encroachments upon Public Property, attempted by others, only that they might encroach upon Public Property themselves; and have done

Qq3 the

. Debates relative to the DAY the dirty Work of a petty Cabal, at the Expence of the Nation, while they made the Cause of the Nationa Pretence for clogging the Wheels of Government, and embarraffing the Administration. To oppose the Measures of those who are appointed to administer Government, is daudable only in Proportion as those Measures are calculated rather for the Advantage of the few than the many, and those are the worst Enemies to their Country who facrifice her Interest to the most incomfiderable Part, without to much as the Colour of legal Authority, either supreme or delegated They are mischievous, whether their Disguise succeeds, or is detected if it fucceeds, they frequently foment cauleless Faction and Discontent, and enrich themselves and their Junto, by the Abuse of the Power which they acquire from to infamous a Practice! If they are detected, an Opposition to Court Measures, when they happen to be pernich ous, is with too much Plaulibility imputed to the fame Principles, by those who adopt the Medfures of a Court merely because they have Connexions with it. By this Means the Views and the Friends of the true Patriot are discredited and defeated; and a corrupt Minifter is able to fet Opposition at Defiance, in con-

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XXXVIII.] Affairs of IRELAND.

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consequence of his having been opposed by Men of corrupt Principles. It is, however, fit that these mock Patriots should be detected, and if we were to watch the Conduct of Pretenders to Public Spirit, with a fixed and penetrating Eye, we should detect them Time enough to prevent the Mischief both of their Practice and their Example. If we see a Man one Day zealously proposing a Resolution of this House, and the next clamorously urging that fuch Refolution ought not to be kept; if we see him now voting that no Money should be granted for a particular Purpole. and the next folliciting Money for that very Purpose, with all the Zeal of a Partisan, jealous of his Influence; if we hear him now loud for preferving the Constitution inviolate, and the next Day equally vociferous for raifing Money in an unconstitutional Manner, and for a Purpose which had been precluded, even by his own Resolution; let us at once treat him with the Contempt that he deserves, and let him be rejected alike by both Parties, if they do not wish to be contaminated with his Principles, and involved in his Disgrace. Much has been said, and with great Truth, of the Diffress of this Country, but I think the most melancholy Considerati-

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on of all is, that the is in the Hands of two opposite Parties, who are equally desirous of making her their Prey, and who quarrel only about dividing the Spoil; but whatever we may do with Respect to the Royal Bounty, we ought not, furely, to fuffer our Money to be fquandered by a private Hand, or concur, contrary to our Interest, and contrary to our Resolution, in Projects for accommodating or inriching particular Persons, Persons who have no Merit but the being Friends or Neighbours of some Party Leader, who does Mischief, that he may be rewarded with the Power of doing more, and who, that his Country may be quite bald, is very industriously plucking off the black Hairs, while the Party he opposes is equally diligent in plucking off the Upon the whole, as I shall naturally suspect every Measure that is proposed by Persons who have rendered their Integrity sufpicious, by an Inconsistency of Conduct which can be reducible to no Principle but Self-Interest, so I shall always think those Measures worthy of Attention at least, that are recommended by Gentlemen who have acted with Steadiness and Uniformity in the Service of their Country, and whole Enquiry, with Respect to every Question, seems not to be from what

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what Party it comes, but what is its Tendency; and, therefore, though I shall give my Vote against the Motion for the Address that has been read to this House, I shall give it for the Motion, that a Committee be appointed to consider of another.

Mr E-S-P- made a short Reply, in which, he observed that nothing was more easy, or more popular, than to declaim upon false Patriotism as a general Topic; that he had as bad an Opinion of false Patriots as the Honourable Gentleman who had so zealously exposed their pernicious Principles and Practises; but that, as to any supposed Application of this general Censure to himself, he could only despise it, as it was below his Indignation; that he was very indifferent with Respect to the Opinion that others might entertain of his Conduct and Principles; that he had never voted for the Application of Money, where he did not think the Public Interest required it, and that he had no otherwise excited Discontent, than by truly stating the Situation of his Country, which he thought it his Duty to do, and that it was every Man's Duty to confider their Confideration, Stuffing Catastitics of the

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The previous Question being then put upon Mr P—'s Motion, it passed in the Negative.

The Question being then put, on Mr F—'s Motion, it passed in the Negative, 126 to 54.

Mark H 8 - P roade a flidet Reply, in

MONDAY, Dec. 19 1763 Tola

had as bad an Opinion of talle Patriots as the Honore. Year of HTALT A.P. Excelantly

exposed their pemileious Principles and Prac-

HE R-t H-ble Lord S., faid, that he intended to make a Motion, which he conceived to be of very great Confequence, on the next Day, and he mentioned it with a View that Gentlemen might attend.

Dr C L faid, that it was always usual, when a Motion of Consequence was intended, to acquaint Gentlemen with the Purport of it, that they might make it the Subject of their Consideration, and act accordingly.

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Lord S— then said, that the Subject of his intended Motion was an Address to his Majesty.

Dr L— replied, that as the R—t H—ble Lord was distinguished by the greatest Candour, as well as Loyalty, he made no doubt but that he would acquaint the House with the Tendency of the Address, which might reasonably be expected, as the Notice given was so short, and that the House had a right to this Information.

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Mr J—G—, the S. G. faid, that the Member who intended to make the Motion, had a right to determine, whether the Information required was proper or not; and that an Explanation of what was intended, would in Fact, be making the Motion, instead of informing the House, that a Motion was intended to be made; he added, that an homourable Gentleman behind him, (meaning Mr E—S—P—,) had, during the Sessions frequently acquainted the House, that he intended to make a Motion, without telling the Purport of it.

Dr L- then acquiesced.

TUESDAY, Dec. 20, 1763.

Lord 3- then faid, that the Suppled of

FORTY-FIRST DAY.

Lord was diffinguished by the greated Can-

but that he would acquaint the Le rM"

the Tendency of the Add Think the Situation of Affairs, at this critical Juncture, both in Great Britain, and in this Kingdom, calls upon us, in a particular Manner, both to express our Duty and Loyalty to the best of Sovereigns, and to represent, in the strongest Terms, our utter Abhorrence and Detestation of the late seditious and treasonable Libels, that have been maliciously propagated, by defigning and wicked Men, to inflame the Minds of the People, and weaken their Attachment to Government, in order to accomplish their own iniquitous, and self-interested Purposes. I am also of Opinion, Sir, that the House should take this Opportunity to express its Approbation of the Measures which his Majesty has pursued for the Benefit of his Subjects in general, and particularly to acknowledge his -squr L- then acquiesced.

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paternal Attention to this Country, in fending over a chief Governor for eminently distinguished for every Qualification that is either Meritorious or Amiable. I, therefore, beg leave to propose an Address for that Purpose.

His Lordship then made his Motion in form, including the Substance of the Address proposed, which was as follows:

That an humble Address be presented to his Majesty, desiring Leave to renew our unfeigned Professions of the most zealous and affectionate Attachment to his Majesty's Royal Person and Government, which this House has been, on all Occasions, forward to express; and has, we trust, been manifested by its Conduct. Humbly to affure his Majesty, that we now think ourselves, in a very particular Manner, called upon to make the most solemn and public Declarations of our inviolable Duty and Attachment to his Majefty, when the most infamous and flagitious Libels have been published and circulated through his Majesty's Kingdom, filled with the groffest Infults on his Majesty's Sacred Person, and Royal Authority, violating every Rule of Decency, Order, and Government, and

Debates telative to the Day XIII. and tending to his up, through all Ranks of his Majesty's Subjects, a Spirit of Discontent and of Difobadience to their Prince, the Laws, and the Constitution. That as thefe audacious and outrageous Attempts have been deemed fitting Objects for the just and exemplary Censure of the Legislature of Great Britaini, we think it cannot be unfeafonable, and we hope at will not be unacceptable to his Majesty, that we also express our utter Deteration and Abhorrence of fuch infolent and wicked Practices : And that we beg Leave, at the dame Time, humbly to affine his Majefty, that thefe Sentiments proceed, not only from those Principles of Duty, by which we have bound as Subjects whit from the most condial Affection and Reverence for those respectable and amiable Vir tues; swhich lare the Objects of Love, and Admiration of call this People M That we therefore intreat his Majefty, graciously to receive athefe Declarations Ifrom 1951 athatime are fully fentible of the many and great Bleffings we enjoy under his Majefty's mild and aufpicious Reign that we are truly thank ful to his Majesty for the Honourable and advantageous Peace, which his Majefty,

through his great Wisdom and paternal Con-

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DAY XLI.] Affairs of IRELAND. cern for his Subjects hath happily concluded for the Benefit of his Kingdoms; that it is our firm and unalterable Resolution, to Support the Dignity and Authority of his Majesty's Government, wheresoever our Influence can extend, against all who shall prefume to difturb it; and that it is our most fincere and ardent Wish, that his Majesty may reign through a long Course of Years, bleffed with the Increase of every Public and Domestic Felicity, and supported by the unanimous Voice of all his Subjects. To affure his Majesty that we are fully sensible it is of the utmost Consequence to us, who by our Situation must be deprived of his Majesty's immediate Influence, That his Majesty's Royal Power should be delegated to Persons fensible of the Importance of that high Trust. and by their Capacity, Probity, and Moderation; fitted for the Execution of it, And that we cannot omit this Occasion of affuning his Majesty, that the Rights and Dignity of the Crown can never be more faithfully maintained, nor more beneurably supported, nor the Administration of his Majesty's Government, carried on upon Principles more agreeable to the Constitution mor in a Manner more entirely acceptable and fatisfactory

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to the People, than by the Hands of the Earl of Northumberland."

His Lordship then delivering in a Copy of his Motion, it was again read, first by the Speaker, and then by the Clerk.

incere and ardent Will, that his Majeffy, maybring through the wasteries of Years.

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The noble Lord, has, I think, in the excellent Address, which he now prefents for the Concurrence of this House, expressed the Sentiments of a loyal and dutiful People, on the present Situation of Affairs, with so much Force and Propriety, that all Attempts to Support it are precluded. I I am perfuaded, that this House will chearfully and zealoully join in a loyal and dutiful Expression of their Attachment to the Sacred Person of our most amiable and truly British and Protestant Prince, and in a grateful Acknowledgement of the Bleffings they enjoy, under his most auspicious Government. Individuals, indeed, there are, in every Nation, who call "Good Evil, and Evil Good," who, as the Shadow deepens in the strongest Light, become most marl

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malignant under the benignest Influence, and most depreciate that Character which is most opposite to their own. It is one Part of our Duty to bring Light out of this Darkness, and from this Evil, as the Delegate of Providence to produce Good; we should improve their causeles Disaffection into an Occasion of publickly expressing our own well grounded Attachment, and declaring to the World the lively Sensibility we have of the diffinguished Virtues of our Monarch, and the wife and just Measures of his Government. Of this Duty we have a fair Example in the Parliament of England, where the Virulence of a detested and contemptible Faction has produced the warmest Professions of Affection and Duty, of Gratitude and Confidence, from the legal Representatives of a favoured and happy People, I know that there are Grievances, with Respect to this Country, of which we have Reason to complain; but it should be confidered, that although his Majesty came to the Throne in the Glory of Conquest, yet he came also into the Tumple of War: War, however successful, is always a State of Difficulty and Diffress, of multifarious Attention, and enormous Expence; whis Majesty had also Difficulties of another Kind to furmount

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Debbtes felative to the DAY KLA at the Time Time wind while a formidable Enemy was to be brought to Reafon abroad. Alfcontented Nobles were to be reconciled at home of the this Situation be had not Deffire Phad almost faid, in this Sicuation he had not Power to bring the Conduct of all his Bervants to the Teft of his own Integrity, or to correct, or refrain the Milapplication of Power at the Head of every Department 4 earling therefore be the Subject reither of Wander, or bf Repreach, that fome Gricvances hould as yet be unredrelled, particutaily that of the Pentions, and the innecessary Employments in the Civil Lift, Articles in which a Minister is most likely to abuse his Inquence, because they are of a pecuniary Kind, and in which a Prince is least likely to conder, because they add nothing to his Prerogative; we may, however, rejoice in the Rieffection, what the Time is now come when he will be perfectly at Liberry to in dulge his Inclination, which has ever been to give Happiness to his People; the Time is also now come, when we are delivered from the fatal Necessity of fending out our Countrymen by Thoulands and Ten Thoufands, from Provinces but half peopled to purchase Conquest with Life; Conquest from which

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which this Part of the British Dominion can reap no Advantage adequate to the Cost; for no Acquisition of foreign Territory can attone for the Depopulation of our native Country. especially as the minimizing Jealousy of a Sifter Nation; precludes is from many commercial Benefits, which we might otherwife hare with her; we have bled to fertilize another Soil " Sir nos non vobis melificates opes." Peace, therefore is a Benefit to us. merely as a Ceffation from War, and there is great Reafon to hope that the Benevolence of our gracious Sovereign, under the Guidance of his Royal Wifdom, will improve the Bleffings of Peace upon a larger Plan, and take off fome of those Reftraints which. though immediately they injure us only do yet ultimately injure Great Britain; there is certainly, therefore, furficient Reafon for that Part of the Address which relates more directly to his Majetty, and as to the latter Part which relates to the Lord Lieutenant, I am fare there is not a Gentleman in the House whose Heart does not anticipate whatever I could fay of its Propriety. be " noofel to Have him hone

Med Traine beingent toon ev

count? The world with them her Air of

which this Part of the Prival Dominion can use no Asiston of deal Mark the Coff of low

se Acquistion of foreign Termory can attored to the Depopulation of our money and duncing

1 believe it is unnecessary for me to declar that there is no Person in this House who has a ftronger Attachment to his Majelly Person and Government than myself, or more willing to take every proper Opports nity of expressing it in the strongest and mo explicit Terms, I shall, therefore, take the Liberty to fay, without Scruple or Apology that I am against the Address now proposed It is, in the first Place, I think, altogether unnecessary, and, in the next Place, by no Means calculated to answer the good Purposes, which I am fure, the noble Lord who proposed had in his View. As to the detestable and and traiterous Libels which have been fo in dustriously propagated, and dispersed in Emland, they have already met with the Fat they deferved; they have been burnt by the Hangman, and D hope forgotten ; 50 rake their Ashes together, and revive their Me mory, even in the Country where they migh be supposed to have had some Influence, would, I think, be imprudent upon every Account; it would give them an Air of Impor-

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portance, which they could no otherwise acquire, and might spread the Knowledge of them where they would not otherwise be known; but to take a public Notice of them in this Country, where they were neither produced nor encouraged, with which they had not the least Concern, nor are pretended to have had the least Influence, would be an Absurdity most strange and unaccountable; why should we disavow what never was imputed to us; or disclaim the seditious Declamations of a Faction, which, I dare fay, scarce any of us have ever read? That we are hitherto confidered as wholly unacquainted with them in our public Capacity is certain, for, in our public Capacity, we have never received the least Hint that any such Libels existed, much less have any of them been laid before us. How then can we fay that we are called upon to disapprove them in a solemn Address? Who or what is it that calls upon us? How is it become either neceffary or expedient? If the Address is intended to represent us as taking Part in the Divisions among the Nobility, which still subsist in England, it is, in my Opinion, intended for a very bad Purpole; it is intended to make us Reason and Address upon a Sub-

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Debates relative to the [DAY XLI. ject which it is impossible we should understand. Besides, we may incline to either Side in the Disputes, between those who are in Power, and those who wish to be so, and yet be most firmly attached to his Majesty's Person and Government, and to the Consti-tutional Interest of our Sister Country. Some may possibly think that the Affairs of the Nation are but ill conducted by the prefent Ministry, and may wish that the great Abilities, and unshaken Integrity of a P-tt, the profound Knowledge, Sagacity, and Experience of a L-gge, and the noble, loyal, and perfevering Spirit of a D-re, should be employed for the Benefit and the Honour of their Country; and what, Sir, have we to do with that? God forbid, that we should suppose the Disapprobation of a Minister that is in Power, or a Regard for the Virtues of a Minister that is out, should be construed into a Disaffection to his Majesty's Person and Government, or a want of Attention to the public Interest. It is, I think, both our Duty and our Interest to keep wholly clear of these Disputes, and not even to hint at them by the most distant Allusion: Let our Attention be wholly turned to the Guidance of our own little Bark, which, at this Time, requires our utmost

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DAY XLL Affairs of IRELAND utmost Efforts to steer with Safety and Success and do not let us walte our Strength in unavailing Efforts, to direct the Course of a magnificent, but unwieldy Veffel, whose Helm we shall never be suffered to approach. As to the Peace, I think we should be guilty of the groffest Impropriety to fax any thing about it; neither this House, nor any Member of it, was once consulted upon the Subject, concerning which this whole Nation was less in formed than an English Borough, whose Representatives had the Preliminaries before them, and fat in Judgment not only upon them, but upon the Definitive Treaty, What we think of the Peace now it is made, is belt kept to ourselves, for the declaring it can answer no End; a favourable Opinion, indeed, will be wholly contrary to our Experience, and we have nothing but Experience to found our Opinion upon. Our Expences are as great fince the Conclusion of this Peace, which we are made to fay is Honourable and Advantageous, as they were during the War, which was univerfally allowed to be Burthenforme and Expensive: Our Public Debt considerably encreases, the Produce of the Revenue has fallen short no less than Forty Thousand Pounds, and the Honourable Gentleman, who spoke last, has told us that, in other Respects, we cannot Rr4 hope

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Debates relative to the DAY XLI. 618 hope to profit by the Peace, because the Jealousy of a Sister Country has laid fatal Restrictions upon our Trade; upon what Evidence then, Sir, are we to pronounce this Peace to be Honourable and Advantageous? geous, without experiencing either the one or the other, merely, because it is intimated to us that we should call it to to compliment those who made it? As to the Complement to our Lord Lieutenant, I have not the least Objection to that; it has been a Cuftom always to complement our chief Governor, and, I am perfuaded, the noble Lord who now fills that Post, deferves it as well as any no End c a favourable Opinion, indeed, will be

wholly contrary to our Experience and we have nothing but Experience to found our Opinion

mon. se Our Expences are as grant EnMine

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I am fure, Sir, we shall all of us acquit the young Nobleman, who has introduced this Address, of any other Design than that of expressing his Loyalty and Attachment to his Sovereign, for he can never be suspected of having had any Hand in the artful Composition of this Piece, which smells strong of the Lamp, and is distinguished by a very

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very remarkable Choice of Words, and Arrangement of Sentiment. It is manifestly the Work of one hackneyed in Ministerial Wiles who has a Point to carry, which he wishes to keep out of Sight; and exerts all his Art to effect one Purpose under the Appearance of another. His real View is to procure a public Approbation of the Peace, but he affects to do that only as an Appendage to a public Disapprobation of certain Libels, which have been written, and propagated, and talked of, and burnt, on the other Side of the Water. It is, indeed, to the Honour at least of his Ounning, that he supposed some Management would be necessary to obtain a public and solemn Approbation of a Peace, which has in every Particular been the most Dishonourable and Disadvantageous that ever difgraced the Annals of Britain, fince Peace has been recorded; a Peace clandestinely and abruptly made, with no other View than to continue the Power, and to hide the Inability of those whose Vanity and Ambition were without Bounds; an Inability of which they were fecretly confcious; they felt themselves unequal to the arduous, but glorious Talk of continuing the War, with the Spirit and Success Rr5

Debates relative to the DAY XLI. cess which had distinguished it under other Hands, and they knew that their Credit would never enable them to raise Supplies necessary even for the Experiment; their only Chance, therefore, to continue in Power, was to have little to do, and, with this View, they haftily huddled up a Peace at any Rate, hoping, that as all Colours fade alike in the dark, all Powers would appear equal in a State of Inactivity, and that they should quietly reap the Fruit of an uncommon influence, which had procured the Dismission of the greatest and most distinguished Minifter that any Age or Country has produced; a Minister who, when we were sunk into the lowest Contempt, by the Delay, Irrefolution, and Inconsistency that are essential to Folly and Guilt, raised us, by the diffusive influence of his Spirit, Firmness, Wisdom, and Integrity, to a Pitch of Glory scarce equalled by any other Nation, and never exceeded even by our own. How ill this fatal Policy succeeded with Respect to its Authors I shall not enquire; how disadvantageous it proved to the Public is sufficiently known; and whatever we may now be prompted to fay, it is manifest that we thought of it as it deserved; for though the Peace was reprefented in a very advantageous Light, in his Majesty's Speech, and though it has been an almost universal Practice, to eccho back every Sentence from the Throne, yet, in our Address, we were totally filent on that Article, and were content not to condemn what we could hot approve. A I should be glad to know what has fince happened that could reasonably change our Opinion; whether our Opinion is changed without Reafon; or whether we are to make a Declaration that is contrary to our Opinion. Are we to concur in this Address implicitly, at the good Pleasure of those who consider us at their beck? I'do not mean our chief Governor, far be it from me to impute fo dishonourable a Conduct to him. I mean a tottering Ministry, who, perhaps, imagine they may stand a Day longer, if they can bring this Country to profitute its Honour, by profeshing to approve a favourite Measure, which they are confeious it condemns. It is, indeed, not improbable, that the late Convultion which this Ministry suffered, and the change that has happened in it, may be the cause of our being now urged to do what we did not do, bluow

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do, upon the Speech from the Throne; but I hope this Legislative Body will have more Regard to its own Dignity, than voluntarily to fink into the infignificant State of an Englifb Borough, whose Chieftain can, by holding up his Finger, make them echo his own Voice, and present whatever Address be shall think fit to dictate. As the noble Lorde who introduced this Address did not vecal quaint us with the Purport of it till to Day. as we have never had any Papers relative to it laid before us, and as the Approhation of this House, with Respect to a great National Measure, should not be given hastily, but with Deliberation, and in a Manner that fuits with the Dignity of the House, and will give Weight to the Approbation itself, I humbly move. That the Confideration of the Motion for this Address, may be deferred till the first Monday after the Recess To that Part of it, which relates to the Lord Lieutenant, I can have no Objection, meither have I any Objection to the Part which relates to the Libels, except that it is a treere Introduction to what is faid about the Peace, and is, in itself, unnecessary, with Respect to this Country': Upon a proper Occasion I would

DAY XLIG Affairs of IRBLAND. 643

I would gladly concur in expressing the trong of the Proceedings the bias

fufficiently theway and a trailing per I thall endeaver the French To each.

That we are concerned in the Line aMich

The Objections that have been made to the Address, by the honomable Gentleman who spoke last, are somultifusous, that it is no early Matter to reduce them to Order, this, from ever, I thall attempt, that have of theer may escape unantwered, and if remembered; be therefore supposed ununswerable: We have been cold, that this Country having nothing! to do with treafonable Libels, by which in Sovereign is infulted, and his Government vis olated, their Libels are mentioned in the Addrefs only to incrediste an approbation of the Peace? That the Peace is the worst that ever was made in that it was clandestinely huddled up in a Harry; that it was to hudd led up by those who wished only to hide and Inability to which they themselves were confcious, and to continue a Power which they could not deferve : That the Address, if proper in kielf, is now ill-timed, because, have ing been neglected hitherto, it ought, for that Reafon, to be neglected Aill. Such are the the of on as a dancin, either for his Ben .-

624 Debates relative to the [DAY XIA]

Objections against the Address now proposed, I and, though I think a mere Recapitulation fufficiently shews their Futility, yet I shall endeavour to give a particular Answer to each. That we are concerned in the Libels which "sinfult his Majefty's facred Person and Autho-"crity, and wiolate every Rule of Decemby "Order and Government, l'is as manifest las that we are Part of his Majesty's Dominions for whole Sake ought his Person and Author rity to be kept facted, and his Government inviolate /if not for ours, who are under the Protection of that Authority, and the Guidance of that Government? Have we no Concern in the general Security and Prosperity of his Majesty's Kingdoms, because we are not immediately under his Eye, or Candidates for his personal Favour? I have heard of a Man who, in a Storm at Sea, when every Body elfe were exerting themselves to the utmost to fave the Veffel, fat with great Composure, in a Nook, where he could keep himself steady; and being reproached with his Unconcerne and told that the Ship was in extreme Danger, replied, with a Smile, and a figulficant Shake of the Head, " Aye, but I am only a "Paffenger." I confess, Sir, I never confidered this Person as a Pattern, either for his Bene-

volence or his Wildom, much less did I imagine he would have been thought worthy of Imitation in this House . Yet those most exactly adopt his Principles, and imitate his Conduct, who advise us to take no Notice of the Enormities that have been committed, by a feditions and traiterous Faction, against the Government under which we enjoy the Benefits of Civil Society, because they happen to be committed in another Part of his Mas jefty's Dominions. What fignifies where a House begins to burn to him that has any Thing valuable under its Roof? whether the Mischief took rife in his own Apartment, or another, it is equally his Interest to oppose it. To purfue the Allegory , would it not be ridiculous to suppose that a Mass would refuse to move his Goods, when he heard the Fire mapping in the next Room, because he had not Notice, in Writing, that the House was on Fire ! and is it not equally ridiculous in us to refuse to take proper Notice of a Fact to notorious and perdicious as the Publication of the Libels in Question, because it has not been communicated to us in Form? Thole who pretend we are ignorant of this Fact, forget that it has been taken Notice of by the House of Commons in England, which, a-

Debates relative to the DAY XLI 6-6 lone; would render it both certain and noto. rious, supposing the Libels themselves never to have had a lingle Reader on this Side of the Water The Mention of thefe Libels, therefore, in the Address, is proper in itself, and is not unnecessarily introduced for the Sake of what follows, which must next be consider. ed. "The Peace, we are told, is the work that ever was made;" Now, though I might immediately proceed to flew how the Peace was made, and fairly infer that it was a good one, by proving that it was thought to be fo, by a very great Majority of that numerous and august Assembly, who could best judge of its Merits, yet I will consider the general Affertion separately, and, I think, Sir, the Peace will appear to be a good Peace, as well by what we relinquished, as by what we kept We relinquished only what we could not keep, without destroying that general Ballance of Power, which it is the Interest of all the Powers of Europe to maintain, and what, if we had kept, would have united all the Powers of Europe against us; a Union, which would foon have involved us again in all the Diffrest fes of War, without a Poffibility of Advantage, for the Strength of our Opponents, exerted in a common Cause, must, at Length, have

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compelled as to admit the Terms of a Conqueror, inflead of imposing our ownpo To hew what we have kept will take up longer Time. We went to War, Sir, for a few A1 cres in North-America we fit down in Peacel poffested of the whole Country an Acquisition of Territory that lecures to the British Dominions Advantages which no other Territory could fecure of It does not, indeed, pour immenfe Wealth into the Kingdom, by the importation of fuch Commodities as contain great Treasure in a small Compass, and, confequently mean be brought by a few Weffels? for this would have made us eventually poor! under at fallacious Appearance of making us rich; and as Riches are Strength only when they are real, we should, by the Want of real Riches, have been left weak. The Increase of Money, in any Nation, does not make that Nation cich, whatever has been supposed to the contrary. Money where it increases in Quantity, must proportionably lesien in Value; the hominal Price of Labour, and of all the Necessaries of Life, must rife; so that the People among whom this Increase of Money circulates, will, in a thort Time, find the Broportion between their Income and their Expence exactly the fame that it was when the

Quantity of circulating Money was left; and consequently, the relative Terms, Poor and Rich, will express exactly the same Degree of the fame Relation; but, with Respect to other Countries, this Increase of Wealth would have a pernicions Effect as Labour would be cheaper there than at Home, we should not only find that our Rivals in Trade could underfell us in manufactured Commodities, at a foseign Market, but we should be able to buy, for a Home Confumption, Commodities ready manufactured, at a cheaper Rate than we could buy the fame Commodities manufactured at Home. By this Means our Manufactures would languish, those whom they fed would be left either to perifh for Want, or to be supported by the Bounty of others; and, instead of the vast Multitude of Ships, which are necessary in an extensive Trade, exchanging a vast Variety of Commodities, we should, like the Spaniards, have only a few Galloons, diffinguished by another Name, which would bring us the Treasure that would at once weaken and impoverish us, not in Gold indeed, but in Sugar, and other coftly Products of the West-Indian Islands: Whereas, by the Acquisition of North-America, we have Emsloyment for more Hands at Home, and for more

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DAY XLII) Affairs of IRELAND. 629 more Shipping abroad, than we could have procured by any other Acquisition. Our Money circulates univerfally through the Channel of Industry ; it bears a reasonable Proportion to the Necessaries of Life, and to the Possessions of our Neighbours, so that our Manufactures are vendable at a Market Price abroad, and our Manufacturers supported in Plenty at Home; at the fame Time that a fufficient Proportion of our Natives are employed in our Fleets, which, at any Time, will be able to defend the Advantages they procure to their Country. With Respect to America, therefore, the Peace is certainly advantageous i but we have given Stability to our Settlements in Afia, and made an Establishment in Africa, from which the greatest Advantages may be expected, as the Prade of our American Mands depends upon the Slaves furnished from that Court, and the Celfion of Minorga is an Acquisition of great Importance in Europe, as our Trade to the Levant must, in forme Dogreed depend upon it? With Respect to all these Particulars, the Peace is, dertainly, advantageous in the high est Degree, and it is, furely, honourable to have compelled all the Belligerant States to have granted us fuch Advantages and it is

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Debates relative to the DAY XLI 630 not less to our Honour that the formidable Compact of the House of Bourbon, which was so alarming, at the Beginning of the last Century, as to bring on a general War, is become so contemptible, in its first mutual Es fort, at a Time when one of the compacted Nations was in its full Force and Vigour, that it was compelled to make Ceffions almost a foon as it made War. Having thus, Sir, confidered the Merits of the Peace, and given my Reasons why I think it is both advantage. ous and honourable, I might be excused from confidering the Manner in which it was made, in Answer to a subsequent Objection, because, if the Peace is good, vit is of very little Importance pow to enquire bow the Good was procured yet that no Subterfuge may be left, that good may not be supposed to have refulted from a Conduct that, with Respect to its Principles and Design, was bad, I shall proceed to thew that the Peace was neither pre cipitate nor clandestine un That it was not precipitate, must certainly be acknowledged by all who remember that Peace had been before proposed, and a Treaty entered into, by that Minister whose removal the honourable Gentleman fo pathetically regrets, and that it would have been concluded if France would then 301

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Affairs of IRELAND. DAY XLAC then have conferted to an Article to which, in the subsequent Treaty, she did confent. But it will more fully appear, Sir, not to have s been precipitate, by the Reafons I shall bring to prove that it was not clandestine; my Reafons, indeed, are Facts; and from Facts it will incontestibly appear, that no Negociation was ever more publickly known, or more deliberately carried on. In the first Place, the great Out-Lines of the Treaty were drawn, and communicated, before the Negociation was commenced. In the next Place, Sir, a Personage of the greatest Distinction, as well for his Rank, as his Abilities and Property, was employed to fet the Negociation on Foot, a Personage whom no Man can seriously suppose capable of acting an under Part in a Scheme to betray and difgrace his Country for the Sake of keeping any Individual in a particular Situation. In the next Place, the Preliminaries being prepared, were long known, and minutely canvaffed before the Definitive Treaty was drawn up, and approved by a very great Majority of the British Senate ; and, laftly, Sir, the Definitive Treaty fecured many Advantages which were not mentioned in the Preliminaries; and fuch being the Facts, Sir, can any Man have the Confidence to af-Sfa fert,

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Debates relative to the DAY XLL 632 fert, that the Peace was precipitate and clandeftine? And if the Peace in Question was a good Peace, fairly and deliberately made, with the Concurrence of Parliament, who has any Right to suppose that it was made with iniquitous and felfish Views? The Tree, Sir, is known by its Fruit , and, as I hope I have proved the Fruit to be good, I might here rest the Defence of the Tree; but I must beg to be indulged a Word or two more: The fupposed Author of the Peace, Sir, has been charged with boundless Vanity and Ambition, and with having put an End to the War to prevent his being driven from Power, by the public Clamour, which he justly dreaded, upon its not being carried on with Success; but, Sir, there was no Meafure to likely to excite a public Clamour against him as the making a Peace. If the War had been continued, and had not been fuccessful, we all know that the want of Success in War does not imply the want of Parts in the Commander, much less in the Minister, The want of Success in War he might easily have imputed to the Fault of others, or to those unforeseen but inevitable Events, which fo frequently difappoint the most penetrating Sagacity, and invincible Courage; but, for the Peace, he knew 1191

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knew he would be made answerable alone; and he knew alfo, that the almost miraculous Successes of the War, had raised romantic Expectations, which it was impracticable to fulfill, and therefore that the Peace, however advantageous upon rational Principles, would be condemned as inadequate to these Expectations : It was, however, necessary for this Nation to have Peace, and expedient to make Peace before a Reverse of Fortune should leave fewer Advantages in our Power: The Difgrace, therefore, which no other feemed willing to incur, by rendering this necessary and important, though unpopular Service, to his Country, the voluntarily drew upon him felf, and facrificed to the Pleasure of doing good, that, for which only the Pleasure of doing good can compensate. The honourable Gentleman has waved an Enquiry into the Success of this Minister's Project, with Respect to himself; but, I think, in Justice to his much injured Character, it should be known: when he had effected the great Work in which he engaged with that quiet Fortitude, and that patient Perseverance which are the Characteristics of a good Conscience and a great Mind; when the Storm that had been raifed against him was, in a great Measure, 514 **fpent** Princes

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spent by its own Violence; when no new Ex. igency of State could have been made an Oc. casion of exciting new Clamour, he quitted the Post that had been so much envied, and parted with the Power which the public Caufe no longer made it necessary for him to exert. would not however, be thought the Panegyrift of this, or any other Minister, and I defire it may be remembered, that I have no farther given Praise, than as it became neces. fary to remove Obloguy. Having now, I think, confidered all the Objections to the Peace of affiall anoldonger trefpasson pon the Patience of the House, than to obviate that which relates merely to the Address we have been told, that, supposing it to be proper in itself, it is not proper now, the Season in which alone it could have been made with Propriety being past; now, Sir, I readily agree, that there was a Time when it might have been made with greater Propriety than it can be made now, but I cannot fee any Reason to conclude from thence, that it ought not to be made at all, if we have done Wrong, the best Atonement is toddo Right, and why a grateful People should be restrained from expressing a proper Sense of the Bepefits they have received from the best of Princes

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Princes, at this Time, because they did not improve an Opportunity that offered for doing it before, I confess, is wholly beyond my Comprehension. As to the Conclusion of the Address, in which mention is made of our worthy Lord Lieutenant, it gives me the greatest Pleasure to find that we are unanimous in our Approbation of it, and have a just Sense of his great Merit, and most amigable Qualities.

of the Commons on the Peace of Ryswick, Utrecht, and Aix la Chapelle, might be read, to shew that the Words Honourable, and Advantageous, were always inserted, and then spoke in Desence of the Ability, and Integrity of the late prime Minister, and concluded by saying, that the Nation was happy, not only in the Peace, but the Peace-maker, and that the only Draw-back upon that Happiness was, its not thinking so.

Mr E—S—P— then moved, that the Question might be put, that the Consideration of that Matter might be adjourned till the first Monday after the Christmas Recess; and said, that as a Change of Affairs on the other

Not to enter into the Disouter concerning

other Side of the Water, had made them think of an Address now, which they did not think of at the Beginning of the Sessions, it might happen, that before the Time of resuming the Subject, another Change might induce them not to think of it at all.

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The Question being then put, for the Ad-

mented Pleature to find that will are unani-

Mr P— then moved, that the Words "We are truly thankful to his Majesty for the Honourable and Advantageous Peace, which his Majesty, through his great Wissedom, and paternal Concern for his Sub"jects, hath happily concluded for the Bene"fit of his Kingdoms," be expunged from
the Address box resimin amore and the local

laying, that the Nation was harpy, and only in the Peace, but Me it Walker, and that

the only ilraw-beek then thet are significant to the significant to th

Not to enter into the Dispute concerning the Merits of the Peace, or the Peace maker, I think the Address proposed is improper a this Time, whatever it might have been before; and I think so because it cannot do now, what it would have done before; to do

DAY XLI.] Affairs of TRELAND.

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do Right is certainly the best Way of atoning for having done Wrong but, in this Case, presenting an Address is not doing Right; with Respect to us, it would be inconfistent and absurd; and it would not even be a Complement to Government; it could not be supposed to express our Sentiments, because if we had thought of the Peace, as we are made to fay we do in this Address, we certainly should have mentioned it in our Address, on the Speech from the Throne, when we could not but fee that something of this Kind was expected; and, if it cannot be supposed to express our Sentiments, it can answer no Purpose, but to shew that we are Puppets, actuated from without, which can never do us Credit, nor the Peace Honour; in hort, allowing the Peace to have been the best that ever was made, we shall in Fact only shew that fomething should have been done which was not done; I have heard of fome Military Officers, in a certain Country, who inlifted the Parish Clerk, and, on the Review-Day, all the Company fired at the fame Time, with great Order and Dexterity, except the Clerical Recruit, who fired by himself a consider able Time after the Rest; if he had not fired at all, no body would have remarked his

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638) Debates relative to the [DAY XLI. Neglect, but firing fingly, and out of Time, he betrayed himself, and the Officer, being greatly offended, rode up to him, and firiking him on the Shoulder, with a Rattan, Sirrab! fays he, What do you mean by your AMEN Shot? I hould be forry, Sir, to have this Story applied to us; and yet we shall give fo fair an Occasion by the Address now proposed, that I think every Gentleman who has the Honour of the House at Heart, should be against it. The Parts of the Address, too, are so oddly jumbled together, in one Paragraph a Traiterous Libel, and in the next an honourable Peace, that they put me in mind of another Story: "A Lady, who had not the fairest Skin in the World, employed a Limner to paint her Picture, but the defired that a little Negtoe Girl, who waited upon her, should be painted with her; doubtless, that the Colour of the Negroe's Skin might fet off her own." I confess, I should be forry to hear the fame Artifice imputed to this House, and yet, I know not how we shall avoid it, if this Address is presented. I know not how it is, but in whatever Light I view this Address, it puts me in mind of a Story: If I consider it as intended to reconcile Factions in England, and give a Check to popular

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DAY XLI. Affairs of IRELAND. lar Clamour, the ignorant Vanity of this Defign appears to me as ridiculous as that of a filly Justice in the great Rebellion, who, hearing that Cromwell was in the Neighbourhood, with Thirty Thousand Men, and that the Royal Army was not far off, concluded that there might be bloody Notes, and, therefore, fent out the Parish Constables to keep the In a Word, Sir, Lam of Opinion, that we should not appear to think more of ourselves, than our Neighbours think of us; if we intermeddle officioully with Respect to this Peace, we may, for ought I know, be made to intermeddle more than we are willing in the next War. Let us leave the Confideration of these Matters to our Betters, who have not asked us to consider them, nor enabled us fo to do; let us keep our little Skiff out of a Storm if we can, and shew our Dexterity by steering clear of the Rocks. am forry to fay, that some Gentlemen seem to enquire where the Rocks lie, in order to fleer upon them; we have heard a Request, that the Addresses on the Treaties of Ryswick, Utrecht, and Aix la Chapelle, may be read, in order that our present Address may be like them. I am forry to find that any Thing relative to those Treaties should be proposed

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for our Imitation; and cannot but think very ill of any Address, that is to keep such bad Company.

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Mr 7- H- H-, the P. S. spoke to the two Objections against the Address, with Reing either to the Libels, or the Peace laid before the House, and to its being now propoled out of Time, he observed, that the Libels had not only been read, but printed in that Country, a Circumstance that would have rendered any formal Notice of them ridicu-lous, and that to be filent, would imply an Approbation of them; that, as to the Peace, it did not appear that any formal Notification had ever been given, though the House had constantly addressed, on former Occasions and that it would be unreasonable to expect now, what had never been done before, and abfurd to refrain from doing what had always been done before. As to the Impropriety of addressing after a Delay, he said, that the House was better qualified to address now, than at the Beginning of the Sellions, as the Purport and Effects of the Treaty were better known; the Affairs of the East Indies, he said, appeared to be settled to much to our Ad-101

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Advantage, that it was doubtful whether another Ship would ever be fent thither by the French; and the Affairs relative to the German States, seemed to have acquired such a Stability from the late Treaty, as was greatly to its Honour; he proceeded to sirge feveral Arguments in favour of the Peace in general; he faid, it had been approved by a great Maprity of the British Parliament, and that though our Success in the War was unparal elled under the Direction of a great Minister, who diffused his dwn Spirit through our Fleets and Armies, to the remotest Corner of the World, yet we could not, confifently either with good Policy or the Law of Nations, retain a greater Proportion of our Conquests than we did nor, says he, did that Minister himself propose to retain more in the Treaty that he proposed to Prance, and in which France would not then concur. He added, that nothing would fo effectually enable us to avail ourselves of the Advantages secured by the Peace, as Unanimity among ourfelves, and a good Understanding with Great Britain; for which Reason he hoped the House would not divide against the as a Proof, that it is good; if it had sarbhA other wife to Mr P-rt, would not the

Advantage, that it was doubtful whether gaired bill white wh touched upon the Topics, that had before been discussed, proceeded to shew the faul Effects of a feditious and turbulent Disposition, among the People, by many Infrances, which he brought from Ancient History and urged, with great Force and Propriety He cited many curious Paffages, with great Learning, to thew that the Grecian and Roman Covernments were subverted by popular Factions, railed and supported by wicked and deligning Men, who made the People Tools to offeet their own Ruin, under the specious Pretence of opposing Tyranny. He added, that fince the Names of Mr P-# Mr L gge; and the Duke of D-re, had been mentioned in the beginning of the Debate, he was free to observed that they were all Men of too much Honour, Integrity, and Ability, to have suffered any capital Error in the Treaty, without fuch Remonstrances as would have been echoed through the whole Britist Dominions, their quiet Acquiescence, says he, in the Peace, must, in the Opinion of their Friends, at least, be allowed as a Proof, that it is good; if it had appeared otherwise to Mr P-tt, would not the Thunder The

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der of his Eloquence Have shaken the State to its Center? Should we not have felt it in this Kingdom, and even in this House? He concluded that the House could incur no Disgrace by concurring in a Measure, in which Mr P-11, and his noble Associates had con-

Account proper, and even necessary.

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Mr H- F faid, that he was much furprized to hear the general Sense of a Nation fligmatized with the Name of a factious and turbulent Disposition , it was from the Voice of the People, he faid, that he, and every Gentleman in that House derived their Legiflative Capacity, and that their Conflitments had an undoubted Right to their Attention that the first Effects of bad Measures always fell upon the People, and therefore the People were naturally the first to complain, and that though he was the greatest Enemy to to Licentioniness and Riot, yet to popular Complaints, however spirited, he was a Friend. An Attention to these Complaints, he faid, and a Redress of the Grievances that produced them, was the only way of preventing Licentiousness and Riot, which was confistent with a free State; for to enforce bad Tt

Debates relative to the [DAY XLI, 644 bad Measures, by an Exertion of the very Po. wer that was intrasted with Government for rendering good Measures efficacious, was the worst of Tyranny, for that nothing could more radically strike at the natural Rights of Mankind, than first to oppress them, then by refusing to redress their Grievances, compel them to attempt redreffing themselves, and finally, making that Attempt a Pretence of subjecting them to new Evils, under the specious Profeffion of punishing a feditious and turbulent Spirit. In answer to what had been faid, in order to prove that the Ruin of States had been generally effected by the Leaders of popular Faction, he faid, that there was fcarce one Inftance upon Record, of a Person's having derived Popularity from any other Source than fome Advantages which he had procured to his Country; and that no Man ever preserved his Popularity, after facrificing the public Interest to his own. It was true, he faid, that the Grecian and Roman State had fallen a Sacrifice to the People, but then the People formed rather a lawless Anarchy, than a licencious Democracy. As to the Subject in Debate, he faid, the popular Opinion was certainly against the Peace; and it was equally certain, that the popular Opinion was the

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The Question being then put upon Mr P—'s Motion, for expunging the Paragraph, which contained Thanks for the Peace, as Advantageous and Honourable, it passed in the Negative.

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A Motion was then made, and the Question put, that an Amendment be made to the Motion for the Address, by inserting between the Words Constitution and that, the Words "And at the same Time to express our gene-" ral Satisfaction and Joy at seeing the "Principles of Liberty vindicated, and main-" taind, and the Rights of the Subject pro-" tected from the Invasion of Power, by the "just Determination, and spirited Conduct of one of his Majesty's Judges, and of an English Jury."

Tr paffed in the Negative. and booth a

Then the proposed Question for an Address being put, it passed in the Affirmative.

nem in Opposition to ministerial Influence, and to the Dilappositment of ministerial

The Onestian being then put upon Mr of Monton, to expending the Paragraph, but contained a names and the Feete, as Avantageous and then which it is the first and the standard and the first and the standard and the first and th

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Method of atcett ining what was legally their Right, 4671 (.82 inst v. YA G. NO Mnittler that to be their Right which appeared to be

flould, he faid, he very glad to find out fome

fo by the Racifity of Tair Tair Court, thereby X A Q HOTAT THAT Regifter,

ARR—M— moved, that the Registers of the several Diocesses in the Kingdom, should be ordered to send up the Terriers * of the Parishes in their respective Diocesses, which had been returned into their Courts, with an Account of the great and small Tythes annexed, for the Inspection of the House, and bloom to their courts.

Mr J— H— H—, the P.S. opposed the Motion, and said, it was inconsistent with the Dignity of the House, to regulate their Proceedings by any Information from Ecclesiastical Courts: That he had a very bad Opinion of these Courts, and thought their Registers should not be admitted as Evidence to support any Demand of the Clergy; he

a Necessity of coming up with them, though

^{*} A Terrier is a Man of the Glebe, to which an Account of the Tythes ought to be annexed.

should, he said, be very glad to find out some Method of afcertaining what was legally their Right, but could never think of admitting that to be their Right which appeared to be so by the Registry of an Ecclesiastical Court, merely on the Authority of that Register; he did not doubt, he faid, but that fuch Regiftry was frequently erroneous, the Courts being wholly under the Influence of the Clergy, and their Dependants, and nothing being a more just or general Subject of Complaint than the Decision of those Courts. Courts, with an Account of the great and

Mr A- Mac A- faid, if fuch an Order should be made, it would be impossible for the Registers to obey it; because, though it was the Duty of every Clergyman to annex an Account of his Tythes to the Terrier of his Living, yet this Duty, though enjoined by a Canon, was frequently neglected; and that as the Terriers were always admitted as Evidence in Law, to prove the Boundaries of the Glebe, it would neither be proper, nor fafe, for the Registers to part with them out of their Custody, so that they would be under a Necessity of coming up with them, though many of them were distant no less than One Hundred and Fifty Miles. div 1 and lorsing bluom

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Mr E-S-P-faid, that nothing could be of greater Importance than to fix the Demands of the Clergy, and that as the Terrier was only a Map of the Glebe, he did not think it necessary to bring up that, but that he thought all Papers relative to their Tythes, might be ordered, from which some Information might certainly be gathered; he obferved, that there might be a wide difference between Legal and Customary Tythes; and that what was called a Modus, was a Composition paid by the Parishioner in lieu of a Legal Tythe, and was generally substituted for the Tythe in Kind, at the Instance of the Parishioner; he added, that if all the Papers relative to Tythes were fent up, it would create great Trouble, and load their Table with a vast Heap of Papers, which would never be examined, befides, that they would be deficient at last, for the Reason that had been already affigned.

Sir W - O - faid, that if it was the Duty of every Clergyman to make a Return of his Tythes to the Diocefan Court, and if any of them had neglected it, such Defaulters should T t 4

Debates relative to the 650 fDAY L be found out and compelled to fulfil the Duty they had neglected.

The R-t H-ble F-A-, the P. just at this Time came into the House, and said, that the Heads of a Bill, which he proposed to introduce were not intended to form a new Code of Laws with Respect to the Demands of the Clergy, or to establish any of their Demands which might be thought doubtful, but only to enable the Clergy to recover, with Ease and Expedition, those Tythes, which were allowed to be their Right, and to difappoint such Combinations as might be formed to defeat them of their Due

It was then observed, that a List of the Fees of the Clergy had been laid before the Privy Council, and afterwards afcertained, but that the Clergy did not think fit to abide by the Determination. be deficient at in

Ordered, That the Clerk of the Council do lay before this House, the Uffer Table of Tythes, and all other Tables of Tythes and small Dues in his Office. Id out of sacist rie bem had negleded it, fuch Defanters should

. od postal take the state of T

Sir W—O— then moved, that an Order should be issued, requiring the Registers of the several Diocesses in the Kingdom to make a Return of the Names of the non-resident beneficed Clergymen of the respective Parishes of their Diocesses. Upon which, Mr J—H—H—, the P. S. spoke as follows:

greater Evil, than it is intended to remove, it is univerfally allowed, Sir, that the Monne-

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I beg leave to propole as an Amendment of the Order, that an Addition may be made to the following Effect: "Such Clergymen "who have not proper Accomodations in "their own Parishes, and who live only at "such a Distance as to be able to fulfil their parochial Duties, and such as having more "Benefices than one, reside on any one of "their Benefices, not to be deemed non-re-"fident." My Reason for the Amendment, Sir, is to prevent undeserved Censure from falling upon the Cloth; for as I think a neglect of Duty, in the sacred Function, one of the greatest Crimes that can be committed, I should be forry to have it imputed to those who are not guilty. I must, however, farther

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ther declare, that though I think the Motion well intended, and would most heartily concur in any Measure for compelling the Clergy to perform a Duty so important as that of their Calling, and for which, no less than a tenth Part of the natural Produce of the Kingdom is allotted them; yet, I think, it is ill-timed, and that our Concurrence in the Motion at this Time would be productive of greater Evil, than it is intended to remove, It is univerfally allowed, Sir, that the Commotions in the North have been principally directed against the Clergy; and the general Contempt into which they are fallen, at this critical Time, is too notorious to stand in need of Proof; and as it is of the utmost Importance to discourage those Commotions, and support the Clergy against this Contempt, I think we ought by no means to lay any of them under the public Censure of this House, though they have not refided on their Livings, nor even to enquire whether they have refided upon their Livings or not, before our Cenfur has fallen upon the licentious and daring Affociations, that have been entered into against them. I, therefore, humbly propose, that the Confideration of this Question be postponed till we have received the Report of the ComCommittee, appointed to enquire into the set Northern Insurrections, and passed our Censure accordingly. When this is done, I hope those Clergyman who have been forced out of their Parishes, will return into them gain, and till this is done, the Order proposed will aggravate their Missortune, by imputing it to them as a Fault.

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As I cannot be supposed to have any Intention of censuring those Clergy for nonrelidence who either are relident, or would be refident if they could, I think I need fay nothing to defend my Motion against the Defect which the Honourable Gentleman has been fo good as to supply: But against the Charge of its being ill timed, I can irrefragably defend it, by the very Arguments that have been brought to support the Charge; it has been faid that the Clergy are fallen into contempt, and that they have been the principal Object of the Rifings in the North, and that for these Reasons no Inquiry should be now made into their Conduct, nor any Censure paffed upon it, supposing it to have been

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worthy of Cenfure; now, Sir, I draw Confequences directly contrary from the fam Premises: If they have fallen into Contempt and become fo odious as to be opposed, even fat the Rifk of Life, it is, furely, high Time for us to enquire whether thefe Evils are no the Effect of their own Conduct; and if i appears that they have neglected their Date the most effectual Way to establish their Cre dit, is to oblige them to fulfil it. It has been faid, that we ought first to proceed a gainst the Insurgents, but surely it is better to prevent Crimes than to punish them a nay the great End of Punishment is to prevent Guilt : the worst that is faid of the Devil, is, that he first betrays us into the Sin, for which The afterwards torments us and, furely, we Thall act but little better, if we fuffer the Olergy to give just Occasion for Contemp and Opposition, without formuch as Centure, and, at the fame Time, proceed to punish those who despife and toppose them. The best way to prevent popular Ill-will to the Clergy, is to make them do their Duty, and not to support them in the Breach of it And wwhatever Cenfure may at dength be paffed upon the misguided Rioters of the North, by those who thought fit to attend the Committee

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of Enquiry, I am fure, we cannot strike the Evil at the Root, if we do not Censure, and even prevent the Irregularities that gave rise to it.

of the largest in Seehud, and extreamly will

Mr J— H— immediately took up the latter Part of the Speech, and said it gave him great Concern to hear his honourable Friend on the Bench behind him, cast an oblique Reslection on his not attending the Northern Committee, I am sensible, says he, that it is the great and first Duty of every Man to attend the Service of his Country, but there are Duties which, though inserior in their general Nature, are not to be neglected; and though it is true, that I did not once attend the Northern Committee, it is true, that, morally speaking, I could not.

Mean to anoply to I all yet fuch is the

tilere le much as a Chrane of Forty Pounds a

Fach, and formuch presupe Regard have

It is impossible for me to sit silent, when I hear any method proposed to enforce the Residence of the Clergy of the established Church, for I have frequently, from the bottom of my Heart, lamented the deplorable Condition of the Inhabitants of the County in which

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which I live, arising from the total Neglect of those who have nominally the Care of their Souls, and actually a Tythe of their Property: I live, Sir, in the County of Clare, which is one of the largest in Ireland, and extreamly well peopled. In this County, Sir, there are no less than Seventy-fix Parishes, and no more than Fourteen Churches , fo that Sixty-two Parishes of the Seventy-fix are Sine Cures; this furely, if Religion is any Thing but a Name, is fuch a Neglect, not of the temporary, but the eternal Interest of Mankind as should make those, to whose Care they are committed, look inward with Shame and Horror; but could it be believed, Sir, that when the Number of Churches is fo small, in Proportion to the Number of Parishes, the Rectors of most of them are non-resident, nor is there so much as a Curate of Forty Pounds a Year to supply their Place, yet such is the Fact, and so much greater Regard have the Clergy to the Tythes, than the Souls of their Parish. I will venture to fay. Sire that for every refident Clergyman in the County of Clare, there are Thirty Thousand Acres of Ground, and at least Five Thousand Souls) to that the Inhabitants of many Parishes must either live in the total Neglect of all Religious

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gious Duties, or they must have recourse to Popish Priests. The Priest, Sir, must marry those who would enter into the nuptual Contract, the Priest must baptize the Children, and the Priest must bury their Dead; or they must co-habit like Savages in the un-inlightened Recesses of Africa, the Child must be considered as a mere Denison of Nature, under no Covenant with God, and the Dead must be deposited in the Earth, without any Memorial of a Returrection. I am almost ashamed to observe, that this is bad Policy, because it is pregnant with Mischiefs so much greater than bad Policy can incur. To regret the non-refidence of our Clergy, upon mere political Principles would be like the Sailor, who, when his Comrade loft his Head, as he was drinking, regretted the Can of Flip, that was carried away with it: And yet, Sir, as there is too much Reason to suppose that the mere political Mischief is all that fome Persons regard; I may be excused for observing, that the Priest, who is always watchful in Proportion as we are negligent, never fails to improve the Influence that he gains by attending the Bed of Sickness, and of Death, to make Profelytes to his Church. I need not shew the political Disadvantages that

that arise to this Country from the Number of Papilts among us; it is necessary to lay the Papist under some Restraints from which the Protestant is free, and it is impossible for a Country to flourish in which all the Inhabitants are not admitted to Immunities and Privileges which equally encourage Industry, and unite Individuals in a common Interest The Children of this World are wifer in their Generation than the Children of Light, and it is a Pity that in this great Article, we give no other Evidence of our being the Children of Light, than that we are less wife than others whom we suppose to be the Children of the World. One of the bad Confequences of this shameful Neglect of our Clergy, is, those Rifings that have been mentioned to the Violation of all Law and the Difgrace of all Government; for who can suppose that Men will patiently fuffer the Extortion of a Tythe-Monger, where no Duty, for which the Tythe is claimed, has been performed in the Memory of Man: How can we perfuade ourfelves that such a Demand can ever be thought Legal; and if it is not thought Legal, how can we expect it should be paid? I know not indeed, how far the Legality of it can be proved, for it was certainly never intended either

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either by the Laws of God or Man, that a mere nominal Clergy should be paid the tenth Part of our Property for doing nothing. It has been faid, that to prevent an Opposition to fuch Demands, we should put in force our penal Laws against those that have opposed them already, but give me leave to fay, Sir, that no penal Law however fanguinary in itself, and however rigorously executed, will fubdue the Natives of a free Country into a tame and patient Acquiescence in what must appear to be the most flagitious Injustice, and the most cruel Oppression. The Insurrections, against which we are so eager to call out the Terrors of the Law, are no more than Branches of which the shameful Negligence of our Clergy, and the Defects in our Religious Institution constitute the Root; and, I am firmly of Opinion, that nothing is more effentially necessary to the Support of the Religion and Laws of our Country, and the Morals of its Inhabitants, than the Refidence of the Clergy, distributed in sufficient Numbers all over the Kingdom, I shall, therefore, most heartily give my Vote for tary Non-relidence, and Negleck noitoM sht

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Mr.S ..., when at man that dond at

I am very forry to fay that the pathetic and striking Representation, which the honourable Gentleman has exhibited of the County, in which he resides, is also a faithful Portrait of that in which I refide myfelf. I live, Sir, in the County of Longford, and I am fure many Parishes may truly say, as the Disciples at Ephefus, faid to Paul, We have not fo much as heard whether there be any Holy Ghoft; every Argument for the Residence of the Clergy, which that Gentleman has fo powerfully urged, is, in my Opinion, conclusive; nor have I the least Objection to a Return of the non-residenced Clergy, but that, as it will be impossible to distinguish, in the Return, which are non-refident by Necessity, and which by Choice it will unavoidably confound the Innocent with the Guilty. Every Gentleman who makes Confcience of refiding in his Parish, and doing his Duty, must, I am fure, concur with me in thinking that voluntary Non-refidence, and Neglect of Duty, are the greatest Crimes that can be committed, and must dread coming under the Imputation

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tion of fuch Crimes, as the greatest Missortune that could befall him; and yet some fuch may necessarily be non-resident at the Time of the Return, and will, therefore, by the Return, suffer the greatest Injustice. It is, I think, a Rule, univerfally admitted among us, that no Person shall be accused who is not present to defend himself; but, by this Return, we shall not only accuse the Absent, but punish them unheard; I am, however, fo fenfible of the Advantage that would accrue from the Residence of benisiced Clergymen, that I would heartily concur in a penal Law to enforce it: It is true, indeed, that the Superiors of the Church have a Power already to enforce Residence, why they do not exert it is best known to themselves, but why it should be taken out of their Hands, who do not exert it, or at least, why it should be lodged where it would be exerted, is I think fufficiently known to us.

Mr T— Le-H— declared himself to be persectly of the same Opinion with the S. G. and seemed desirous that the Motion should be deserred.

Mr J— H— H—, the P. S. seemed to Uu 2 think

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think that MrLe-H— was inclined to put the previous Question, and therefore said, that he wished the previous Question should not be put, because the Question which implied a Censure on non-residenced Clergymen would then be entered in the Votes. If the Question was put, he said, he should certainly vote for it, though he thought it better to adjourn the Debate till after the Report of the Northern Committee, and the consequent Resolution of the House.

To this Sir W—O— agreed, but observed, that as it was much more consistent with the true Spirit of Christianity, to convince the Papists of their Errors, by Precept and Example, than to harrass them by the Execution of penal Laws, he was of Opinion, that proper Measures should be taken to enforce the Residence of beneficed Clergy, in preference to any other Proceedings.

The Motion was then postponed, by Consent, and there the Matter ended, for, however necessary and important the Residence of beneficed Clergy may be, no Measure was ever afterwards taken to enforce it.

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FRIDAY, Jan. 27, 1764.

FIFTY-FOURTH DAY.

In a Committee for enquiring into the late Insurrections in the North, Mr J—B—being Chairman, began to read a Report, which had been prepared for that Committee to make to the House; and, after he had read sometime, Mr R—F—got up, and spoke to the following Effect:

Mr R- F-bnd tank of ton

I beg pardon for interrupting the reading of the Report, but I cannot help thinking, that many of the Particulars that are inferted in it, tend rather to irritate and inflame particular Persons against each other, than to promote the public Good; besides, I observe, that, in many Instances, what is said against particular Persons, bears much harder upon them than it would do, if all the Circumstances relative to the Affair were mentioned. I remember, in particular, that during my Attendance on the Committee, which was not as frequent as it should have been, U u 3 I heard

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I heard a Witness asked, whether he had not been fixteen Years in Friendship with an honourable Member of this House, to which he answered in the Affirmative; but admitted that the Friendship had been broken some Time: now this Particular not being inferted in the Report, I think the House cannot judge exactly what Credit should be given to that Part of the Testimony of this Witness, which affects the honourable Gentleman. But if all these Particulars were inserted, and every Allegation against every particular Perfon was fully elucidated and explained, I do not fee what End it could answer. no concern with any Thing but the Facts by which the Law was actually broken. What were the Motives of the Infurgents to break it, or whether any Act of Oppression was, or was not committed, is an Enquiry wholly foreign to the Bufiness of this Committee. We have, in this Case, no discretionary Power; if the Crime alledged has been committed, the Law affigns the Punishment; we have no Power of lightening the Punishment, in consequence of any Provocations which may be supposed to alleviate the Crime. The Crime, as far as it can be judged of by this House, confifts wholly and fimply in breaking the Law,

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Law, and the Breach of the Law is the fame, whatever was the Motive to break it. If any of the Infurgents fuffered Wrong, the Law had provided a Remedy, which they were free to take; they had no right to provide a Remedy for themselves, if a Man is legally convicted of a capital Crime, and fentenced to die, the Profecutor has no Right to take his Life, and he that should stab him, though with a Halter about his Neck, would be liable to punishment. The worst Laws while they fubfift, ought to be enforced, for bad Government is better than Anarchy; and if the People are permitted to dispute with Government, whether the Laws shall be executed or not, nothing but Anarchy can enfue: However, in the present Case, it does not appear that any just Cause of Complaint gave Colour to the Infurrection in Question. Complaint indeed was made of an oppreffive County Cess, but it does not appear that the County Cess was oppressive; and Complaint was made of exorbitant and illegal Demands of the Clergy, but it does not appear that their Demands were either exorbitant or illegal; however, as I faid before, this is no Part of our Enquiry; the Proceedings of the Infurgents, have, without Controverfy, been

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Licentious, Illegal, and Rebellious; and their Notoriety, and Turpitude, are sufficient Grounds for this House to proceed judiciously against them, and I therefore think that as the Report of the Committee is, for the Reasons I have assigned, both Redundant and Desective, the making it to the House, should be adjourned to a farther Day:

The Motion was then made, to adjourn the Report of the Committee, and it passed in the Affirmative.

The House took no subsequent Measures, in consequence of the Enquiry of this Committee.

The House having, according to Order, refolved itself into a Committee, to take into Consideration, Heads of a Bill for better securing the Liberty of the Subject, and spent some Time therein, the Speaker resumed the Chair, and, the Report having been made, the Bill was read.

Then a Motion was made, that the Speaker, with the House, do attend his Excellency the Lord Lieutenant with the said Bill, and desire ir

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defire the same may be transmitted into Great Britain, in due form, and that his Excellency would be pleased to recommend the same, in the most effectual Manner to his Majesty, as a Bill of the utmost Consequence to this Kingdom.

To this it was objected, that such a Method was unusual, and that, at this Time, nothing made an unusual Method necessary, as there was not the least Reason to suspect that the Bill would not be properly considered.

The Question being then put, it passed in the Negative.

difference, both the Southern and North

the line there, as his been obleved before

Ordered, That Mr H— L— do attend his Excellency the Lord Lieutenant with Heads of a Bill for discharging from Prison, Persons, who shall be acquitted of Offences, without Fees; and for making a Compensation to those to whom such Fees would be paid, and desire that the same may be transmitted to Great Britain in due form. (See MrH—L—'s Speech and Motion, to bring in the Heads of this Bill in the Debates of Day IV. page 51.)

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SATURDAY, Feb. 4, 1764.

FIFTY-NINTH DAY,

Mr R = F-,

Mr S to the land that fay time area for

Think nothing can happen in any Country that requires more ferious Confideration than the Infurrections that have lately disturbed, both the Southern and Northern Parts of the Kingdom: They have already been the Object of our Enquiry in a Committee, but there, as has been observed before, they were confidered as Breaches of the Law already past, and the Motives which urged the Offenders to commit the Crime, did not come properly under Confideration, when a Crime already committed was the Object; but as it behoves us to prevent fuch Infurrections for the future, and to provide fome effectual Means for preventing the Mischief which may follow if they should happen, it is proper for us to confider what gave Occafion to them, that by preventing fuch Occasi-

on we may strike the Evil at its Root: It is also proper for us to enquire what Provision is already made by Government for quelling a riotous and rebellious Opposition to the Laws, and securing the Property and Life of those who are under their Protection. Sir, as to the first Object of our Enquiry, it does not appear that any previous Breach of the Laws, or any oppressive Abuse of them, in those who were the Object of these Insurrections, gave Colour to them; but that they rose from a causeless Offence taken against the Laws themselves, and were encouraged by a Notion, that the civil Magistracy was not invested with a legal Power sufficient to quell them, and disappoint their Design, which was no other than to render the Law ineffectual by forcibly preventing its Execution. Now, Sir, as the Opposition of these Insurgents against the Law is causeless, we cannot remove the Occasion of their Irregularities by an Alteration of the Law; all that we have to do is to take away the Encouragement which they derive from a Want of Power in the Magistracy, and fo prevent them from attempting to put their Purpose in Execution, by shewing them that it is impossible. By this Measure, Sir, we shall also prevent the Mischief

Debates relative to the [DAY LIX. chief of the Attempt, even if it should be made. Their Notion that the Power of the civil Magistracy of the Country is defective. has but too much Foundation in Truth as will appear upon a Comparison of our Police with that of a Sifter Kingdom. The Spirit of Liberty is there as high and as bold as in any Country upon Earth, and yet the fame Causes which have produced Insurrections bordering on Rebellion here, have produced no fuch Mischief there. This is owing entirely to the Power of the Magistracy, and the Respect which Power always inspires. In Great Britain, Magistrates, and those in Authority under them, had a Power sufficient to answer the Purposes of civil Government regularly and legally vested in them, before the Norman Conquest, and this Power the Conqueror thought fit to continue and establish; but it does not appear that any fuch Power has been established in this Kingdom, from the earliest Times to the present. The Clans ships, as they have been called, and the Dependance of the lower Classes of the People, upon their Chiefs, or Heads, was the principal Source of their Obedience to the Law, and when that Dependance ceased, they were conscious to no other Subordination, and theretherefore were disposed to be obedient no longer. At this very Time the Magistrate, however vigilant and faithful in the Discharge of his Duty, and however defirous to check any tumultuous Opposition to Government, has no Power to compel proper Affiftance. The Persons that ought, on such Occasions, to asfift the Magistrate, are the head Constable. and the petty Constables. But, at present, the head Constable of the Barony is appointed by Rotation, without the least Attention to his Ability, Situation, Character, or Circumstances; so that having often nothing to lofe, he has nothing to fear, and becomes negligent of his Duty merely because he knows he cannot be punished for such Neglect; so that Deficiencies frequently happen, either from his Negligence, or his Dishonesty, in the public Cesses of the Barony, which he is intrusted to levy, and these Deficiencies, however small, he is frequently wholly unable to make good. Such are the head Constables; as to the Petty Constables, they are appointed from the very lowest of the People, and are indifferently of all Persuasions and all Characters; but if they were what they ought to be, with Respect to their Qualifications, they are not fufficient in Number effectually to affift the Ma-

Magistrate in quelling a popular Insurrection, The Justice of Peace, under these Circumstances, is a mere Cypher, and the Quiet and Security of the Country must depend wholly upon a military Force; a Force that is wholly unconstitutional, and that we are loaded with heavy Taxes to maintain. If our Police was to be properly supported by the civil Power, those who secured our Rights from Violation would also contribute, by their Industry, to the public Stock; but the mercenary Soldier contributes nothing; he is a mere Excrescence of the State, and can flourish only by its Weakness; He has not a common Interest with his fellow Subjects, and would as willingly subvert the Constitution as support it. The military Power is, indeed, fo odious, that the Exertion of it will fow the Seeds of that very Contumacy, and Oppression, which it is employed to quell; and I, therefore, propose to bring in Heads of a Bill to extend and increase the Power of the Civil Magistrate, and also to increase the Number of Constables, who shall be absolutely under his Direction: I propose, that a Return should be made of the Number of Families in each Parish, and that for every fifty Families a Constable and two Bailiffs should be appointed, and that such

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DAY LIX.] Affairs of IRELAND 673
Laws shall be made as will render them wholly subservient to the Orders and Directions of the Justice of Peace.

Ordered, That Leave be given to bring in Heads of a Bill for supporting the Authority of Magistrates, and preserving the Peace.

worthy Member particularly named, and it

gas force for see as be darbers, we

The R-t H-ble W- H-F-.

House, as the Majorey are mentioned w. Sacer, see in a contemp course family 7M.

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I think it incumbent upon me, as well for the Support of the Honour and Dignity of this House, and its Privileges, as in Justice to the Character of a worthy Member, to complain of a Breach of Privilege that has been committed against him. Sir A+B-, Sir, has been most audaciously and injuriously aspersed by a Paragraph in a Pamphlet, which has been lately published by a Printer and Bookseller in this Town. In the Dublin Magazine, Sir, for fanuary 1764, published and fold by Peter Wilson of Dame Street, there is a Paragraph purporting that A-B- Efq; Member of Parliament in Ireland, had been falfly reported to be the supposed Author of the North-Britons, there not being the least Reason to suspect him of such a Performance, as every Body

Body that knew him must allow he had not literary Abilities for any Thing of the Kind, and that his being one of the Majority that voted the North Britons to be Libels, was another strong Proof that he could have no Hand in them. This, Sir, is a Breach of Privilege with Respect to the honourable and worthy Member particularly named, and it is also a general Breach of Privilege against the House, as the Majority are mentioned with a Sneer, and in a contemptuous Manner. As an Aggravation of this Offence, Sir, I must obferve, that it was this very Peter Wilson, who had the Impudence to print the black and red Lists, as a Reflection on the Majority of the House, and a Means of inflaming the Minds of the People; the Dublin Magazine my Servant bought at his Shop. I therefore move, that Peter Wilson, Printer in Dame-street, Shall, for a Breach of Privilege against a worthy Member of this House, be immediately taken into Custody of the Serjeant at Arms.

Peter Willowiof Dame Street, there is a Para-

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ber of Parliament in Jerland, had been Wilyne-ported to be the Jappoled Author Cambon of the Cambon

for the Rights and Privileges of this House

Affairs of TRELAND. DAY LIX. than myfelf, as I think them effential to the Conflictution; but I shall always be of Opinion, that the Rights and Liberties of the Subjects, should be preferved inviolate, for this is the great End of all Government, and without this the Rights of the House would be maintained to no Purpose. Now, Sir, as we have no Proof that this Man was either the Author, Printer, or Vender, of the Pamphlet that has been complained of, I shall oppose the Motion for taking him into Case tody. The honourable Gentleman, indeed, who made the Motion, has afferted, that his Servant bought one of them at his Shop, but this Affertion is not fufficient to subject the Man to the Trouble and Expence, which must attend his being taken into Cultody by the Serjeant at Arms. We must not inflict Punishment before the Crime is legally aftertained, and the supposed Delinquent has appeared to answer the Charge that is brought his Decence; that the drakeingaild Philips supposed to be guilty of a

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In this Mr F- acquiefced, and to prove that Wilson was the Printer, and Publisher, of the Pamphlet in Question, he produced and read a Letter, which he had written and delivered to Sir A-r B-ke, with his own Hand,

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Hand, containing a Confession that the Pamphilet had been printed in his Printing-House, and sold in his Shop, expressing his Sorrow for it, and begging Sir A-r's Pardon. Wilson, also, alledged, in his Letter, that the infertion of the Paragraph was intirely owing to an Indisposition which confined him to his Bed, and that though a Proof was brought him about two o'Clock in the Morning, when the Sheet went to Press, he was not in a Condition to read it.

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jody, W. The honourable Gentleman, 'indeed. The R-t H-ble Mr A- M- observe ed, that a mere Suspicion of Guilt must in the Nature of Things subject the supposed Delinquent to forme Degree of Punishment, for that it was certainly some Degree of Punishment to be seized by a Constable and carried before a Justice of Peace, which must always be done before the Crime can be proved or the supposed Criminal heard, in his Defence; that the ordering a Berson, supposed to be guilty of a Crime against that House, into the Custody of the Serjeant at Arms, was the usual Proceeding of Parliament on such Occasions, and was just equivalent to the taking up a common Offender, by a Warrant, from a Justice of Beace; that there ,basti

DAY LIX,] Affairs of IRELANDS

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there was no other Way of bringing him legal. ly before them, or putting him to answer for himself. If the mere taking a Criminal into Custody, says Mr M-, is supposed to be a Punishment, that pught not to be inflicted till he has answered for himself, and his Orime has been formally proved, it is clear that no Offence could be legally punished, or even proved, and that no supposed Offender could he legally brought to make his Defence. Till this Man is brought to our Bar we cannot judge of his Case, and we have no Way of bringing him, but by ordering the Serjeant at Arms to take him into Custody: When he is there he will be at Liberty to make his Defence, and have an Opportunity of extenuating his Crime if it should be proved a gainst him. I very well remember a parallel Cafe to that now before us, in which we acted as it is now proposed we should act. I remember that George Folkener, printed some Lines, supposed to have been written by the late Dr Swift, reflecting upon the Character of Sir Thomas Pendergaft, which being complained of, he was taken into Custody by the Serjeant at Arms, and brought to the Bar of the House; the Printing the Libel was proved against him, and he was punished accordingly X x 2 Mr

there walk no other Way of bringing him legal whelled them . A was in Mr if My aniwer for

imelf. If the more taking a Ciminal into Cuffody, Tay, Mr M -, is fix por and be a

I very well remember the Case of George Falkener, but no Precedent on the Journals of the House shall ever induce me to act in Opposition to the natural Right of every free Subject of this free Country. Tacknowledge that a full and formal Proof of the Crime laid to any Man's Charge cannot be made before he is taken into Custody, but I must observe, that the Fact alledged ought to be attested upon Oath. I am also doubtful how far the Letter written by Wilson can be admitted to criminate himself, or rather, I am of Opinion, that it cannot be admitted for that Purpose at all. As the celebrated Dean Swift has been mentioned on this Occasion, I cannot miss so fair an Opportunity of congratulating my Country upon the Honour and Advantages it has derived from his Genius and Public Spirit; and, let me add, that as the poor Man now accused, had shewn some Spirit of Patriotism in his little Way; it should now be admitted to plead in his Behalf. It was an Observation of another great Genius, the Friend of Dr Swift, that "Right

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too rigid hardens into Wrong:" However, I have a more important Cause to plead on this Occasion, than that of Peter Wilson; I mean the Liberty of the Press the great Bulwark of our Constitution: We should not, furely, betray a timid Jealoufy of trivial Excesses. nor admit any but the fullest Proof that it has been pushed to excess. What has been now published is of a trifling Nature, and too abfurd to be pernicious; it was taken from the London Papers, and must have been written by some Person who was totally unacquainted with the Character of the honourable Gentleman supposed to be aspersed; he is certainly the last Person in the World that those who know him would wish to offend, and indeed his Character is fuch, as renders the Paragraph that has been read, altogether unworthy of Notice; nothing could have rescued it from Contempt and Oblivion, but a Complaint of it in this House, and nothing can so effectually consign it to Contempt and Oblivion again, as our faying nothing more about it. Our Enquiry alone can make it an Object of Curiofity, and our punishing the Publisher can alone persuade the Public, that it could, in any Degree, hurt the Character at which it is levelled. I hope there-X x 3

680 Debates relative to the [DA+ LIX,

therefore, that for the Sake of poor Wilfon, the ignorant and inadvertent Offender, for the fake of the Liberty of the Press, which we should on no Occasion discountenance, and for the Sake of the truly honourable and a miable Gentleman, who can be injured only by our mistaken Zeal to do him Justice, that nothing more will be done in this Affair.

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I never was more furprized in my Life, than I am at the whole Purport of what the honourable Gentleman, who spoke last, has faid upon this Occasion; he has endeavoured to prevent our bringing a Man before us who is charged with a most flagitions Breach of Privilege, by telling us that the honourable Member he has ill-treated, deferves fuch Treatment less than any Man in the World; that the Liberty of the Prefs should be kept facred, and that the Delinquent deferves out Compassion. Now, Sir, as to the Liberty of the Press, it is wholly out of the Question. The Liberty of the Prefs, so much and so justly valued as the Bulwark of our Constitution, is not, furely, a Liberty of defaming and calum-

calumniating private Perfons. With the Characters of private Perfons the Confinution has not the leaft Connexion, nor can a Freedom of disclosing or difguising their Characters in Print, tend, in the leaft, to fecure to us our common Privileges, as Members of a free State. The Liberty of the Prefs, Sir, of which we are and ought to be tender and jealous, is the Liberty of making known to the Community those Truths by which the Community is affected; it is the Liberty of publickly examining Public Meafures, and discusfing Questions relative to political and teligious Principles, in which all have a common Interest. As to the Character of the honourable Gentleman who has been publickly aspersed, it is the first Time that I ever heard it advanced, that the more Merit a Gentleman poffesses, the less Crime there is in abusing him. Can it possibly be supposed that a Man's Innocence, nay, that his Eminence for politive good Qualities, should be a Reason why he should be publicly asperfed as being destitute of such Qualities, with Impunity. Are we only to punish Defamation when it is true, and to take no Notice of it when it is false! The Aspersion, I know, has been treated as a Trifle, because it has no Relation

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to moral Conduct; but a Man may be more injured by a public Imputation of Folly than of Vice. It is, indeed, with Respect to the Person himself better to want Understanding than Virtue; but I am afraid he will suffer less in the Estimation of many, by the Want of Virtue than Understanding. The honourable Gentleman, Sir, is a Member of this House, and to infinuate that he wants Understanding is to infinuate that he is unequal to his Trust; It tends to destroy the Confidence placed in him by his Constituents, and to expose him to every Attempt that Cunning and Fraud may be encouraged to practife against those whom they suppose unable to detect them. The Injury of fuch Defamation, Sir, is great, that it is unmerited is an Aggravation, and it may be punished without discountenancing any Privilege of the Public, or any Practice of general Utility. As to the Delinquent, if it is granted that he is an Object of our Lenity, it cannot, for that Reason, be pretended that he should escape unquestioned: To take no Cognizance of Offence is not Mercy; it is betraying the Cause of the Public, and encouraging an indifcriminate Violation of every Law that was intended to unite Society in the Bonds of Peace. If he is an Object of our Mercy, let

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DAY LIX! Affairs of TRELAND.

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us flew it, with the Sword of Justice in our Hands; we shall then give a Sanction to the Law, and an Encouragement to Merit; but, if we do not bring him before us, we can do neither: And let me now make a Distinction that feems to have been overlooked; the Motion was not made to order this Man into the Custody of the Serjeant at Arms, but to bring him immediately to the Bar of the House, in the Custody of that Officer. In the first Case, the Order would have implied a temporary Imprisonment, but in the other it will not, for the Man may be discharged immediately. Let me also observe, that though the honourable Gentleman who has been injured, thought it his Duty to take Notice of the Offence as a Caution to others, yet he has done it in a Way least hurtful to the Offender, for he might have brought his Action at Law, which would have involved him in much greater Perplexity and Expence.

Mr T- Le-H- faid, that he was very fensible, the Offence complained of, implied a double Guilt that it was a flagitious Breach of the Privilege of the House, and an unprovoked Injury to a Gentleman of the most amiable and worthy Character pubut

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as flush be required.

DAY LIX Debates relative to the that he was perfuaded Peter Willow was the last Man in the World that would knowingly have committed it; that he had known him many Years to be a worthy Member of 80. ciety, to have been honest and punctual in his Dealings, and to have moved in his little Sphere with great Merit; that the printing of the Paragraph, could happen only by his not feeing it, and that his not feeing it was the Effect not of Negligence but of Sickness; that he was sensible he should be brought to the Bar of the House to answer for himself. but that he hoped it would not be necessary to order him into Custody of the Serjeant at Arms for that Purpole, for, fays he, I fee him at the Bar of this House already, a penitent Criminal, coming voluntarily to Judgment, with a Countenance (trongly expressive both of Sickness and of Sorrow, and ready to make fuch Submiffion and Atonement both to the House and to the honourable Member as shall be required, toid, that he was very

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The R-t H-ble Mr A-M-faid, that no Submission or Atonement could be accepted till the Delinquent was brought to the Bar in due Form; that till then it was improper to take Notice of his being at the Bar,

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Bar, or even in the House. That the Speaker, therefore, should iffue an Order to have him brought by the Serjeant at Arms, without which nothing could be done in the Affair, and the less Way the Officer had to go for him the better.

The Speaker then iffued fuch Order, and the Serjeant at Arms brought Wilfon to the Bar. The Speaker told him he had some Onestions to ask him, but acquainted him, at the same Time, that he was not obliged to answer, the Law requiring no Man to criminate himself.

The Clerk was then ordered to shew the Prisoner the Pamphlet which contained the Paragraph in Question, and he being then asked whether he was the Printer and Publisher of it, replied, that he had too much Repentance and Contrition for what he had done, to add to his Guilt, by presuming to deny the Fact to that honourable House.

The Speaker then asked him what he had to say in Extenuation of his Crime, to which he replied, that the Printing and Publishing the Paragraph, which had so justly given Offence

DAY LIX Debates relative to the 686 Offence, was owing intirely to the Servants that he employed; that he was himself so cautious of publishing any Thing improper, that a Proof was, by his Order, brought to him, of every Sheet, before it went to Press. and that a Proof of this very Sheet was brought to him in Consequence of such Order, but that he was so ill in Bed, that he could not read it. That as foon as he knew the offending Paragraph was inferted, he went to the honourable and worthy Member with a Letter, apologizing for what had happened, in the most submissive Manner, and offered to make any Atonement in his Power.

It was then proposed to ask him, whether after he had written his Letter, and made his Submission to Sir A-B—, he had suffered any of the Pamphlets which contained the Libel to be sold,

To this Mr R—F— replied, that the unfortunate Person at the Bar had so candidly, and with so much Contrition acknowledged his Fault, that he thought it inconsistent with the Dignity and Mercy of the House to put any Question to him, which, whether answered

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swered negatively or affirmatively, would carry an Imputation of Guilt. That if it was thought necessary to ascertain the Fact which was the Subject of the Question, the proper and only legal Way would be to fend for Witnesses to prove it, for that no Question ought to be put to the Prisoner that would lead him to criminate himfelf. Sir, is a wove an Lv

The Speaker then faid, that as the Queftion had been afked by an honourable Member, he was obliged to put it, for though no Man was required to criminate himself, by answering a Question, every one was at Liberty to ask fuch Questions as were thought proper. I have not the least principal Empire

The Question being then put, Wilson replied, that after writing the Letter to Sit A B-, the Perturbation and Confusion of his Mind were fo great that he did not think of directing his Servants not to fell the Pamphlet, and that he did not know but that they might fell it; though if the honourable Member, or any other Person had given him the least Intimation to stop the Sale, he would undoubtedly have done it. Libels against the Legislative Power of

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was the Subject of the Question, was the

It is with the greatest Regret, Sir, that I tife up to move for the Punishment of the unfortunate Man at the Bar; Punishment Sir, is always an Evil confidered in itself, but as it prevents a greater Evil it is relatively a Good: The Pain suffered by the Criminal is no Reparation of the Injury already past, but it may prevent future Injuries from being committed. In this View of Punishment, I hope I shall not incur the Censure of causeless Severity against the Prisoner, to whom I have not the least personal Enmity, nor has the honourable Member whom he has publioly defamed. My View is to support the Dignity and Privileges of the House, and to prevent its Members from being hereafter injured, either by Wantonness or Malignity, with Respect to what the Worthy have always held dearer than Life, their Good Name; And, I think, there never was a Time when it was more necessary to repress the Spirit of Contumacy and Faction, than the present Libels against the Legislative Power of Great Bri-The

Britain, as well as of this Kingdom, are ex very Hour swarming from the Press, and diffusing universal Disaffection and Discontent; the Proceedings of the Majority are treated with the bitterest Malignity, and most contemptuous Infult; though the Voice of the Majority is the true and constitutional Voice of the Nation; and it is with the greatest Pleasure that I take this Opportunity to declare, that I believe there never was a Time when the Majority of this House confifted of Gentlemen more diffinguished both in private and public Life, for Integrity and public Spirit. It has been faid, and, I fuppose truly, that the Delinquent at the Ber is, in general, a Man of good Repute; and it has been also alledged, that the offending Paagraph was published without his Knowledge; but admitting even this, I think, he ought by no Means to escape Punishment Punishment is very often justly inflicted when no Guilt is incurred; for the Law is often violated, in Confequence of an erroneous Conscience, and, in that Case, a Man, by the very Act that forfeits his Life, may give the strongest Proof of his Virtue. If that may be justly punished which is Victor, furely that may be justly punished which is neither Vintue

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690 Debates relative to the DAY LIX nor Vice, when a public Advantage is to be procured by Punishment, which can be procured no other Way. It will not, I suppose, be pretended that the Offence, of which I have complained, will be as likely to be committed again, if we punish this Man, as if we let him escape , and, if not, it is very fit this Man should be punished, notwithstanding all that has been faid in his Behalf, Supposing it to be true. No Man will then be encouraged to offend by hoping to escape Punishment, if he can pretend to have been fick, and lay the Blame upon Servants, and Servants themselves will be more cautious, if they know that their Mafter will, at all Events, be made to answer for their Act. I must, however, observe, that there is great Reason to suspect the Sincerity of the Person at the Bar, with Respect to his Ignorance of the Fact, his Sorrow for it, and his Defire to make facil Attonement as was in his Power. It appears, by his own Confession on, that the Pamphlet was fold in his Shop, even after he had apologized for having printed it, to the honourable Gentleman who was most injuriously calumniated in it; he says, indeed, that it was fold by his Servants, and that the Perturbation and Confusion of his Mind was fo great, that he did not think of fornor

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forbidding them to fell it; but, Sic, it is very difficult to believe that if he had been truly concerned for the Wrong he had done, he would have forgot to prevent the Repetition of it. Selling the Pamphlet was the very Thing that had taken Possession of his Mind; that it should exclude other Things is not firange, but that it should exclude itself is impossible and absurd. Upon the whole, there, fore, I think it my Duty to move, that Peter Wilson (hould, for a Libel highly and injurioufly reflecting on the Character of a worthy Member of this House, be committed a close Prisoner to Newgate, bolla di bank and alle

Sir W— M—.

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It gives me great Pleasure, Sir, to see the honourable Member who spoke last, stand up with fo spirited a Zeal, and such becoming Vehemence, for the Privileges of this House, as upon his Behaviour, on a late Occasion, I could not help fearing that he regarded them with some Indifference. I remember, Sir, and fo, I dare fay, does every Gentleman prefent, that a Complaint of Breach of Privilege was lately made against an Officer of the Yy Post692 Debates relative to the [DAY LIX.

Post-Office, for charging a Letter directed to an honourable Member of this House ; that was a Breach of Privilege against the whole House, this is a Breach of Privilege only against a particular Member, yet that Gentleman was much less active against the Offender upon that Occasion, than upon the present; and I remember, that though it is now moved that Peter Wilson for a Breach of Privilege against a particular Member becommitted a close Prisoner to Newgote, yet Thomas Jones, who, by charging a Frank, was guilty of a Breach of Privilege against the whole House, was only taken into Custody of the Serjeant at Arms, and dismissed without Fees.

The R-t H-ble W- H-F-.

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I am very forry, Sir, to fee a Parailel drawn between a Man who has published a Libel, in Violation of the Law, and a Man who only committed a Mistake in doing his Duty, in Obedience to the Law. When Jones charged the Letter, he thought it ought to be charged,

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^{*} See the Debates of Day X, page 204.

DAY LIX.] Affairs of IRELAND.

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but will any Man fay, that, when Willon published the Libel, he believed a Libel ought to be published? I was an Advocate for Jones, not because I was indifferent to the Privilege of the House, but because I thought the Privilege of the House had not been violated; and I am an Accuser of Wilson in Consequence of the same Zeal for the inviolable Prefervation of the Privileges of the House which I had then, and because I think he has violated fuch Privileges. It has been faid, that charging the Letter was a Fault committed against Parliament, and that Publication of a Libel was a Fault committed against a Member only: But furely, Sir, every Violation of Privilege is a Fault against the House: Defamation, indeed, is a Fault against the Individual, but if the Individual defamed is a Member of the House, it becomes a Crime against the House collectively, the Body naturally suffering with the Member; fo that the Crime now committed is double; it is a Breach of Privilege, and; as fuch, it affects the House; and it is a scandalous Libel, and, as fuch, it affects the Individual only. The House can take Cognizance of it only as a Crime committed against it in its collective Capacity; as a Crime committed against the Individual, the Law has

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given the injured Person another Remedy, which, as has been observed, his Humanity has restrained him from taking. I hope, therefore, Sir, that I have been guilty of no Inconsistency of Conduct, and that the Fact committed by Peter Wilson appears to be much more worthy of Punishment than that imputed to Thomas Jones.

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practo Mr Sint med and if Separatival des

Though I am very ready to acknowledge that the unfortunate Person at the Bar has been guilty of a Breach of Privilege, yet I am by no Means convinced that he is guilty of having published a Libel, as I do not think the Words of the Paragraph in Question can be brought under that Denomination; as his Fault, therefore, in my Opinion, is a mere Breach of Privilege, I think the committing him close Prisoner to Newgate, in the bad State of Health, of which his Looks are a sufficient Proof, will be a Punishment much more than adequate to his Crime; it will affect effentially his Character and his Conftitution, and may, probably, in his present Situation, cost him his Life; I therefore hope that the Right Honourable Member will with-Movie

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DAY LIX.] Affairs of IRELAND. 695 withdraw his Motion, and be content to have the Prisoner ordered into the Custody of the Serjeant at Arms.

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e 11 The R—t H—ble Mr A— M—.
Mr S——,

I am forry to fay, Sir, that I am of a different Opinion from the honourable Gentleman who spoke last, and that I think the Paragraph in Question a Libel, in the full Sense of the Word. I take a Libel, Sir, to be a defamatory Writing, and I think it will scarcely be denied that a Writing, which infinuates a Man's Want of Understanding, is defamatory: Such Defamation tends immediately to destroy a Man's Peace of Mind, and remotely to ruin his Fortune: It is therefore a Crime of a very heinous Nature when committed against a private Character; but with Respect to a Member of this House, who is intrusted by his Constituents with their most important Concerns, and has a Voice in the Legislature, it is a Crime against the State; it tends to destroy the Confidence of the Public in their Representative, and it reflects Difhonour upon the Legislature of which he is Member. Indeed, Sir, I do not see that the Publication of the Paragraph in Question can Y y 3

TDAY LIX. Debates relative to the be a Breach of Privilege any farther than the Paragraph is a Libel; if it is not a Libel against a Member, how is the Privilege of the House violated by its Publication? The Paragraph purports that A-B-, Efq; is not the Author of the North Briton, because the North Briton is written with fuch Ability as Mr B- does not poffess; and that Nobody that knows him can suspect him to be the Author of a Work of fuch literary Merit: It purports also, that his voting with the Majority, who condemned the North Briton, is another Proof that he had no Concern in writing it. Does not this imply, Sir, that Mr B-is deficient in Understanding? and is not the Mention of the Majority in this Manner an Infult that deserves Punishment & As to the Question, What Punishment should be inflicted on this Occasion, I must observe, that it has been the constant Usage of this House to commit Persons convicted of printing or publishing a Libel to Prison; nor can I recollect one Instance to the contrary. An Order, therefore, to commit this Man, who has been convicted, both of printing and publishing a Libel, into the Custody of the Serjeant at Arms, would be contrary to all Precedent, and the Appearance of it upon our Journals would

DAY LIX.] Affairs of IRELAND. 697 would, in my Opinion, have a very bad Effect. I wish, however, as little as any Gentleman present, that the Delinquent now before us should be severely treated, and, I think it may be so contrived, that an Order to commit him to Newgate may stand upon our Journals, and yet he may not suffer the Dangers of a Prison, which I therefore propose should be done.

Mr H- F-.

Mr S----,

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The Right Honourable Gentleman who spoke last, Sir, has, in a very ingenious Manner, twined and twifted the Paragraph in Question to make it appear to be a Libel, and I hope, therefore, that I may be allowed to try if I cannot twine and twift it till it appears not to be a Libel. The North Briton, Sir, whatever is its Merit, or Demerit, as to its Principles and Tendency, is universally allowed to be the Performance of a Person who has acquired a Habit of writing, an Ability of expressing Sentiment, clearly, correctly, and forcibly; and this, Sir, is an Ability very different from Quickness of Conception, Soundness of Judgment, or any other natural Powers of . the Mind: Sir A-B-, therefore, may be

Debates relative to the DAY LIX. a Gentleman of very quick Conception, very found Judgment, and even extensive Knowledge, and yet may not have acquired the Knack of writing in the same Degree as the Authors of the North Briton: To fay, therefore, that he had not literary Ability for a Work of that Kind, did not imply that he was deficient in Understanding, nor is the mere Want of literary Ability, a Difgrace to Gentlemen who have more important Objects of their Attention than literary Perfor-Supposing I should read some anonymous Verses, and should say, I thought them as good as Mr Pope's; and suppose somebody should say they were written by Sir A- B-, would it be deemed any Reflection upon his Understanding, if I should say, I did not think him capable of writing Verse so well ? -

The R-t H-ble Mr A- M- (interrupting bim)

It is very indifferent to me, Sir, -

Mr F—, (going on without stopping)

I therefore can never consider —

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my over Senie of them; and as in the

I beg Pardon, Sir, I thought the Gentleman had done.

Mr F-.

No Sir—the Paragraph in Question as a Libel; the honourable Gentleman has, indeed, inferred, that it is a Libel, in the Sense of the House, from the unanimous Opinion of the Members, that it is a Breach of Privilege, and this Inference would be just, supposing the Paragraph to mention Sir A-B-, in his private Capacity only: Paragraph mentions him with a Sneer in his political Capacity, as being one of the Majority of this House; and I apprehend that the prefuming to publish any Inuendo, with Respect to the Majority, or Minority, of this House, is a Breach of Privilege, setting Sir A- B- intirely out of the Question. I am extremely forry to differ from the Right Honourable Gentleman, whose Years, Experience, and Ability, must give great Sanction to his Construction of the Words in Question, but I thought it my Duty to explain my

my own Sense of them; and as in my Sense they are not a Libel, I shall never give my Vote for sending the Publisher to Newgate.

The R-t H-ble Mr A- M-

Mr S_____,

VIII

It is very indifferent to me what Sense the Fire and Imagination of that young Gentleman may conceive under the Words in Queftion; his Sense is certainly contrary to my own, and, I believe, to that of every one else in the House, I am obliged to him for the Complement he has been pleafed to pay to my Abilities, but, for my own Part, I make no Pretentions to any Thing more than a little Common Sense, which naturally understands Words in their common and natural Signi-I shall, therefore, make no farther Reply to what has been faid, than to defire the Paragraph may be read, that every Gentleman may judge of its Meaning for himfelf.

In this Mr F concurred, and the Paragraph was read.

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Mr T— Le-H— then said, that he should be extremely unhappy, if a Vote of the House should pass for committing the Prisoner to Newgate, because it being Saturday Night, he must lie there till Monday Morning, which he thought would imminently endanger his Life; he was consident, he said, that his Death, as the Consequence of that Consinement, would give the greatest Affliction to every Member of the House, and to none more than to the Right Honourable Member who made the Motion, whose Humanity, Good Nature, and Social Virtues, had always distinguished him in a remarkable Manner.

Mr H— L— said, that he very highly respected the Precedents of the House, yet he did not apprehend that they were universally binding. That Circumstances were perpetually varying with Respect to every Crime, and that, therefore, the judicial Proceeding against them should vary in Proportion. That the House of Commons had a full Power either to order this Man into the Custody of the Serjeant at Arms, or commit him to Newgate, whatever might have been done on former Occasions, and he hoped that the Reasons which had been

been alledged, would determine the House, not only upon Principles of Mercy, but of Justice, rather to commit him to the Custody the Serjeant at Arms, than to Newgate; as Imprisonment in Newgate would, in the Opinion of all present, considering his present Circumstances, be a Punishment much more than adequate to his Crime, and might probably occasion his Death.

It was at length proposed, that he should be kept in Custody of the Serjeant at Arms till Monday Morning, and then be brought to the Bar of the House, to be dealt with as the House should think fit, which was unanimously agreed to.

It was now near Eight o'Clock at Night, and the Speaker made a Motion to leave the Chair, that Dr L—might fit as Chairman of the Committee for limiting the Duration of Parliaments *.

Somebody faid, that it was too late to take a Bill of so much Importance into Consideration.

^{*} See the Speech of Dr L-, Day III, page 39.

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Mr O— W— faid, he would vote for Dr L—'s taking the Chair, notwithstanding it was so late, for that he considered the Bill as of no Importance at all, as a mere Mouthful of Moonshine, a petty Trick ad captandum Vulgus. It was impossible, he said, that any Body should think seriously about it, and that those very Persons who brought it in, would probably be as unwilling it should pass as any Body else.

Mr A— J— N— faid, that he believed this Bill, and that relative to the Roman Catholics were considered in the same Light, and that no Body ever thought either of them would pass into a Law.

aves not a Man in the

In Answer to this it was urged, that the Bill in Question was in itself of very great Importance, and that therefore it was but fair to give it a hearing.

Sir C-C- * then got up, and faid, that he believed those who were for proceeding

Ten o'C'ock:

^{*} Late Mr G— G—, now a Knight of the Bath.

upon the Bill had got their Dinners, and would therefore, have great Advantage over those who had been fasting all Day; he was of Opinion, he said, that they would have the House entirely to themselves, so that they might do what they pleased with the Bill. As to his own Part, he was sober and hungry, and could stay no longer:

Mr O— W— faid, he supposed the Word Sober, was levelled at him, but that there was not a Man in the House more sober or hungry than himself, for that he had not eaten a Bit all Day; that, notwithstanding, he voted for taking the Chair, because he was fure the Bill would be very soon dispatched.

The Question being put, That the House do now resolve itself into a Committee, to consider of Heads of a Bill, to limit the Duration of Parliaments, it passed in the Negative.

The Question being put, that the House do resolve itself into such Committee on Monday Morning next, it passed in the Affirmative.

And then the House adjourned to Monday Morning Ten o'Clock X.

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MONDAY, Fab. 6, 1764. boxes the fiteals stockers their co to

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for communing him accordingly.

SIXTIETH DAY.

D Eter Wilson being brought to the Bar, in Custody of the Serieant at Arms, was ordered to remain in Custody till To-mornow Morning and then to be brought again to the Barrof the House soul ont ban sovie

The House resolved itself into a Committee, to consider of Heads of a Bill for limiting the Duration of Parliaments; and after fome Time spent therein, the Speaker resumed the Chair, and Mr Bi reported from the Committee, that they had gone through the Heads of the Bill, and that he was ready to report it.

Ordered, That the Report be received on Wednesday Morning vollet and at salog - A

TUES-

I am extreamly forry, that the Support of ods

TUESDAY, Feb. 7. 1764.

SIXTY-FIRST DAY.

P Eter Wilson being brought to the Bar, by the Serjeant at Arms, and the Question being put upon the Motion, for committing him to Newgate, it passed in the Affirmative; and the Speaker issued his Warrant for committing him accordingly.

When the Business of the Day was over, a Petition was presented on behalf of Peter Wilfon, then a Prisoner in Newgate, setting forth that he was in a bad State of Health, expressing great Sorrow for his Offence, begging Pardon of the House, and praying to be discharged.

B— spoke to the following Effect.

Sir A- B-

-2 3 U Mr S---,

I am extreamly forry, that the Support of the

DAY LXI. Affairs of IRELAND 707 the Rights and Privilege of this House, and the fecuring its Members from wanton Defamation has rendered it necessary, in the Opinion of this House, to punish the Person whose Petition has been just read for an Offence committed against me. It has been observed by my worthy and Right Honourable Friend! who made the Motion, that Punishment is no Reparation for the Injury committed; and I can fafely fay, that the Offence committed against me, has excited no Passion in my Breaft, that will be gratified by the Sufferings of the Offender. If the Publication of the Paragraph, in Question, had affected me only, I should have treated it with the Contempt I thought it deserved, and not have taken the least Notice of it, if it had had Poignancy enough to give the Wound that was intended, I should have felt the Injury, but I should, notwithstanding, have forgiven the Fault. But as it affects immediately the Honour of the House, and remotely the Honour and Interest of those whom the Impunity of this Offender may expose to other Offences of the same Kind, it was necessary that some Notice should be taken of it. But as the House has now proceeded to punish the

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Debates relative to the [DAY LXI. 708 the Crime, as the Delinquent is, in other Respects, a Man of a good Character, and as there are thought to be alleviating Circumstances in his Case, I beg to become an Advocate for him. The Ends of Punishment I hope will be sufficiently answered, if it is suspended only at the Request of the Party immediately injured; as the Hope of fuch an Advocate is not very likely to encourage the Crime, and as, without fuch an Advocate, there will be no Hope of escaping Panishment; I, therefore, humbly move that Peter Wilfon may be discharged from his Confinement dead and design I and lo soil ed me ordyy at thrould have record in with

B—, Peter Wilson be discharged, and he was discharged accordingly.

but I floudd, notwithlianding, take fargiven the Fault. But as it affects in affects the rector the Monour of the House, and remainly the Howard and Interferent those wheat the Impu*AUHIR Onesder may expote to other Offences of the tank Kind, it was necessary

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that fome Notice Pould be taken of it. But is the House has now proceeded to punish

THURSDAY, Peb. 16, 1764.

nothing can discover a more than shift. Dilin-

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who, while he is felling what is not word

Dechair, as Chairman of a Committee for fecuring the Freedom of Parliament, by vacating the Seat of fuch Members, as should accept of a Place, or Pension, and for aftertaining the Qualification of Members; upon which Mr. H.— Low spoke as follows:

honour it, than to have its Council fet a naught, and Bule ThicHhallafforded a co

pious Theme to the Care's of the Day, and given them an Opportunity of weath.

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I have heard it reported that former Parliaments have formet introduced Bills into
this House, merely to deceive the Multitude
into a clamorous and zealous Approbation of
their Conduct, without the least Defire or Expectation that such Bill would pass into a
Law, and upon a well-grounded Presumption, that if it should get through this House
it would be stopped in the Privy Council, or
some other Part of its Progress. This Prac-

7.10 Debates relative to the [DAY DXVIII] tife, Sir, I should be forry to see revived, for nothing can discover a more shameful Difingenuity in the Party, nor bring greater Difhonour upon the House: with Respect to the Party it is a Fraud not less base and contemptible, than that of the itinerant Quack, who, while he is felling what is not worth a Farthing for half a Crown, harangues the Crowd that is gaping round him, upon his public Spirit, and tells them that the Prefervation of their Health, and Life, is his only Motive for travelling the Country with a Monkey, and a Merry-Andrew; and as to the Honfe, nothing can more degrade and difhonour it, than to have its Council fet at nought, and Bills, which have afforded a copious Theme to the Cato's of the Day, and given them an Opportunity of fweating, in an Agony of Eloquence, for their dear suffering Country, intirely fet afide, without for much as being taken into Confideration by other Parts of the Legislature. I think, therefore, that it is the Duty, and the Interest, of every Member of this House, who has really the Cause of his Country, and the Dignity of this House at Heart, to detect and expose this dirty Artifice, if ever they shall be so unfortunate as to fee it practifed, and at once reject 220 Dile.

DAY LXVIII.] Affairs of TRELAND. 711. ject fuch Bills here, as they are morally certain will be rejected elsewhere; and I carnestly entreat, that some Day may be fixed, (and nothing to intervene) for the hearing some Sentiments which I have to offer, upon the Place Bill now proposed to be taken into Confideration, mingate van abougul or treat House, to be directed towards any thing bet

Dr C- L- then faid, that he should be extremely unhappy to be thought to have introduced any Bill merely with a View to Popularity; or with any other View than procuring the Advantages to his Country, which he supposed would follow from its paffing into a Law. That, as to the Place-Bill, he never would have proposed it, if he had not hopes of gaining it the Sanction of every Branch of the Legislature, and, that as it was manifestly calculated for fecuring the Freedom and Independance of Parliaments, he hoped every Gentleman, who defired they should be independent and free, would give it all the Affiftance in his Power, as well in supporting it through the House, as in preventing it from being deprived of any of its original Strength and Vigour! haddeup rated I were this their Confinements; and he obler-

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Mr H. L.— replied, that he was very far from imputing any Artifice of the Kind, he had mentioned, to the Honourable Member, who spoke last; that he was too well acquainted with his Candour and Honesty of Heart to suppose any Step he took, in that House, to be directed towards any thing but the public Good. That he spoke only in general Terms, concerning what had been done in former Parliaments, in order to put Gentlemen upon their Guard, against the like Practices for the suture.

which he fureofed would follow from Dr L-then took the Chair, as Chairman of the Committee; and, in filling up the Blanks in the Qualification Bill, it was agreed that Five Hundred Pounds per Annum (hould be a Qualification of a Knight of the Shire a and when Three Hundred Pounds per Annua was proposed as a Qualification for a Burgels, Mr H- Sin faid, that there were many mercantile Towns in the Kingdom, which might be properly represented by Marchants; who, by their commercial Knowledge, might be better qualified than others to promote the Interest of their Constituents; and, he observed that a Mixture of fuch Persons, with Gentlemen

tlemen of real Estates would be for the common Benefit of a Nation, in which a very considerable commercial and landed Interest were blended to together. He, therefore, proposed that Six Thousand Pounds should be a Qualification for a Burgess, as well as Three Hundred Pounds a Year.

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Mr H— L— faid, that the same Question had been sully debated the last Year, when the same Bill was in Agitation; and that, in his Opinion, the Legislative Power of the Country ought to be in the Hands of those who had a permanent Property in it; because the Circumstances of Merchants were sluctuating, and their Views comparatively confined. He then moved, that, as the House was very thin, and the Question in Debate of great Consequence, the Chairman should report that he had made some Progress, and beg leave to quit the Chair at that Time, and sit again.

The Question being put, it was carried in the Affirmative.

Ordered, That the Report of the Commit-Z z 4 tee, 714 Debates relative to the [DAY LXIX, tee, for confidering Heads of a Bill to make the Judges Commissions quam din se bene gesserint, be received to-morrow Morning*.

FRIDAY, Feb. 17, 1764.

life asion ston last durants, as well as The

SIXTY - NINTH DAY.

In the Address, with Respect to the Risings in the North and South, the Right Honourable Mr W— G— H— objected to the Expression, Treason against the State, as inaccurate, because, Treason, he said, was a Crime committed against his Majesty, and he proposed to insert the Words High Treason, instead of Treason against the State.

Mr J— H— H—, the P. S. replied, that Treason against the State was a proper Expression, for that Treason might be committed against the Common Wealth, as well as against the King; and that, in this Case, the

^{*} See the Speech of Mr L-O-, on the XIVth Day, page 292.

Words, Treason against the State, were more proper than the Words High Treason, as they did in some Sort mark out the Nature of the Crime, which did not include the least Disassection to his Majesty's Person, or Government, but consisted in a tumultuous and illegal Attempt to redress pretended Grievances.

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Mr H replied, that he would not infift upon the Amendment, but was still perfuaded, that High Treason was the proper Expression, because every Offence committed against the State, supposing it a Monarchy, was an Offence against the King; that Treafon might indeed be committed in a Republic, but even then, as Treason, it was deemed an Offence against the Government, and not against the Nation collectively. Coming of Money, he faid, in a Monarchy, was Treafon, as an Offence against the King, though the Subjects were immediately injured, and though there was no Pretence of Disaffection towards the King's Person or Government; and, in a Republic, the Coining of Money was Treason, as an Offence against the Government, though the People, collectively, were the immediate Objects of the Crime. Every Breach of the Law, he faid, from Rebellion

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716 Debates relative to the [DAY LXIX.

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to Petty-Larceny, was an Offence against the King, and the Profecution of the Offender was always at the King's Suit, and every fuch Breach of the Peace, as obstructed the Duty of those who acted under the Royal Authority, and prevented the Execution of the Laws of the Country, was High Treafon. He concluded, by faying that it was abfurd to fuppose Treason could be committed against the State, and not against the King, where the State was under Royal Government, as it was impossible to separate the Interest of the Sovereign from that of his Country; and that he was, therefore, against the Expression, Treason against the State, as implying such a lic but even then, as Treaton, it .noirage ed an Offence against the Government, land

notoM with warbdis , ravaword , -H nM E of Money, he faid, in a Monarchy, was Trea-

Mr E—S—P— proposed, as another Amendment to the Address, that some Words should be inserted, expressing a Disapprobation of the Conduct of the Magistrates, who, if they had exerted themselves as they ought to have done, might, without military Assistance, have put a Stop to the Mischief at the Beginning. That military Assistance should never be called in but upon the greatest E-mer-

mergency, for that, after performing the Service required, it had fometimes proceeded to the total Subversion of the Constitution. But mere Neglect in the Magistracy, he said, was not, he feared, all they could be charged with on this Occasion: That the Rioters would never have gone such Lengths as they had, if they had not been countenanced; and that, Gentlemen, instead of exerting themselves against them, were even carried about the Country as a Sanction to their Proceedings.

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Mr 7- H- H- replied, that he thought it would be extremely improper, even upon the honourable Member's own Principles, to pass a Parliamentary Censure upon particular Gentlemen, without having received the special Report of the Committee that had been appointed to enquire into the Affair. the Rifings were notorious, and their Tendency certain; but that the Part, which the Gentlemen on the Spot had acted, was doubtful, and could be afcertained only by the Report of the Committee, and, therefore, he faid, he was against coming to any such Refolution at that Time: He hoped the special Report would be made, and then, fays he, in God's Name, let every Magistrate and Officer that that has deserved Censure, meet with his De-

the total Subvertion of the Confliction. But a meracle of the Confliction of the Mas I amas I

TUESDAY, Feb, 23, 1764.

SEVENTY-SECOND DAY.

THE House, according to Order, resolved itself into a Committee, to take into farther Consideration, Heads of a Bill for better securing the Freedom of Parliaments, by vacating the Seat of such Members of the House of Commons as should accept of a Place or Pension *.

pointed to enquire into the Affair.

There is no Man, in this House, who has a higher Sense of the great Importance of the Independency of Parliament to the Constitution, nor of the Right which Constituents have

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See the Speech of Mr L O on the XIVth Day, page 292.

DAY LXXII.] Affairs of IRELAND. 719 to determine how far those who accept Places. or Penfions, under the Government, are difqualified from their Truft; and yet, I think, the Bill under Confideration, confidering the present Situation and Circumstances of this Country, would, upon the whole, have very pernicious Effects. In the first Place, it would frequently produce all the Diffipation and Confusion, all the Animosity and Expence that the Arts of Faction and Self Interest never fail to carry into a Place for which a Reprefentative in Parliament is to be elected : In the next Place, it would lessen the Power and the Influence of many Gentlemen who are not less distinguished for their Integrity and Publick Spirit, than for their Attachment to Government, as it would either prevent their holding an Employment by which they would acquire fome Authority, or execute fome publick Truft, or deprive them of a Seat in this House: And, in the third Place, it would prevent the smallest Part of those Sums that are drained from us as Salaries for Places, of Power or Trust, from being bestowed upon our Natives, and spent in our Country. I know that a Place Bill has a plaufible Appearance, and I know it is a Notion industrioully propagated, and generally received, that no

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Debates relative to the DAY LIXXII no Person who votes with the Court, votes in the Service of his Country, and that every Perfon, who has a Place of a Penfion, implibitly votes with the Court. But, firely, the groffest Ignorance and Bigotry only scan believe, that the Government proposts no Measures but what are quinous to the Country that is governed of If Government is not thus eternally divided pasion itfelf, and filbyering the very Foundation on which it stands, those who constantly and implicitly vote against the Gos vernment, give much stronger Proof of felfish and finister Parpoles than those who wile for it, and, I believe, we shall find that there are more Inflances of those who have received Favours from Government voting against a bad Meafure proposed by the Court, than of those who oppose, in Hopes of being brought off by fuch Favours, voting in Behalf of a good one so But as Government ban never be supposed to pursue such Measures only as tend to the Ruin of the State, neither can it be fupposed that those who have most at flake, would be most likely to concur in those Measures. Upon the Stability of the Conftitution, the very Employments which are suppofed to be given as Bribes to Ifabvert it de pend, as well is the private Fortune of the Per-

DAY LXXII. Affairs of IRELAND 721 Person who holds them No Man can receive an Equivalent from a Minister for the Loss he would fuffer by the Ruin of his Country; no Man, therefore, whatever Favours he may have received from a Minister, will concur in a ruinous Measure; and nothing is fo likely to alarm a Minister, and divert him from parting this Project as the Opposition of a Dependant: The very Dependance gives Influence and Power to the Opposition, as in that Cafe it must proceed from Principle, and can neither be evaded nor voverborns The constant and indiscriminate Opposition to Government by those who are dignified with the Name of Patriots is not formidable to a Misnifter; he knows that all but the Vulgar impute the Opposition to its true Motive, Faction or Self-Interest; and he knows too, that if ever it is worth his while, he can buy it off. It has, however, a very permicious Tendency upon the inferior Classes of Life, and, in some Cases, makes it necessary to govern with a Rod of Iron, by raining a Spirit which would not otherwise be governed at all y for, as the Rabble find those whom they call Patriots, univerfally opposing every Measure of Government, they naturally infep, that every Measure of Government is perulcious and oppreffive,

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whether they feel it to be fo, or note and by this Means, they become first discontented, and then tumultnous; they first despile the Laws, and then oppose them/; thus we have Contumacy and Riot on one Side, and Dragoons and Penal Laws on the other : And furely, Sir, a Place-Bill will choourage the Notion from which thefe Evils proceed : If we make a Law that vno Place-rhan shall fit among us, upon a Supposition that he will vote with the Court, can the Multitude fail to infer, that to vote with the Court, is to ruin the Country ? Will they not confider fuch a Law as confirming their Opinions, and justifying their Conduct? We ought, furely, rather to lead them into other Notions and to reconcile them to Government, by thewing that we put Confidence in it in Besides, Sin, if we pass this Bill, it is probable that the Members of this House will rather keep their Seat than accept of a Place; the Confequence of which will be that all Places will be given to Persons on the other Side of the Water, who will neither know their Duty nor fulfill it. Gentlemen who refide among us, and have a local Interest here, must from their Situation, be better qualified, and more inclined to discharge the Duties of a Place of Trust

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or Profit, than those who have neither Refidence nor Interest; and they will farther contribute to the general Emolument, by fpending the Revenue of their Appointment among those that are taxed to pay it: And, let me observe, Sir, that, supposing Places and Penfions to be given to Natives, those Natives, if they had not a Seat in the House, would not live among us; they would do no Duty, and fpend no Money, from which we could receive the least Benefit. I am forry, Sir, upon this Occasion, to remind Gentlemen how very sparingly the Favours of Government are beflowed upon us already. Among four and twenty Bishops there are but fix Natives; among the Judges, but three; of fourteen General Officers upon the Staff, three; and, among the great Officers of State, there is nearly the same Proportion. When this Nation, Sir, was threatened with an Invafion, it was thought necessary to raise five Regiments for its Defence, and of the Command. ers of these Regiments only one was an Irishman; and, if this is the Case now, what Chance would the Natives of this Country stand, for having any Emolument bestowed upon them by the Government, if the Bill in Question should pass into a Law? In a Word Aaa

724 Debates relative to the [DAY LXXII.

Word, Sir, the Bill would produce continual contested Elections, it would lessen the Instuence of the Members of this House, it would prevent those from having Places who alone are qualified to fulfill the Duties of them, it would increase the Number of Absentees, and drain away our Money; it would tend to produce general Weakness and Discontent, and, therefore, supposing every single Placeman to vote implicitly for the Government, which some very recent Instances shew not to be the Case, it would certainly do more harm than good, and, therefore, I humbly move, that the Chairman may leave the Chair.

Dr C-L-.

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As it is always easier to answer an Argument upon the Principles on which it is formed, if it can be done, than to controvert those Principles, even supposing them to be false, I shall admit, what the honourable Gentleman who spoke last, seems to suppose, that ministerial Measures are always for the public Advantage, and that those who oppose them, under the Character of Patriots, have no Viewbut to be bribed out of their Opposition. I shall admit, that a perpetual and causeless Opposition of the proposition of the propo

DAY LXXII.] Affairs of IRELAND. 725 position to Government produces all the Evils that he has deduced from it, and, from thefe very Premisses, I shall endeavour to prove, that a Place Bill is absolutely necessary. the first Place, I must observe, that the honourable Gentleman has paid a very bad Complement to those that are now Place-men, and those that shall be so; for he supposes that the Government found, and will find it necessary to engage them to support good Measures, by bestowing lucrative Favours upon them. He tells us, that, if this Bill paffes, the Government will have no Inducement to bestow such Favours upon the Members of this House the Inducement, therefore, is to keure them as Advocates for Court Measures; now, upon his Supposition, that Court Meafures are generally good, it follows, that thefe Gentlemen would not have concurred to fupport good Measures without a Bribe, which s rather a worse Character than that, being bribed, they supported bad Measures ; for, in one Cafe, the natural Propensity is supposed to be right, and, in the other, it is supposed to be wrong I confess I am not willing to think fo hardly of these Gentlemen Lam. inclined to believe that they would rather do Right than Wrong, supposing all foreign In-Aaaa fluence

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Debates relative to the [DAY LXXII. fluence out of the Question. But we must indeed, suppose, upon the honourable Gentleman's Principles, that those who now do right, in Consequence of being provided for, would, before, have done wrong, that they might be provided for. Now, Sir, upon this View of the Matter, the holding of Places, and Penfions, by the Members of this House, is the Cause both of the implicit Opposition to Government, on one Hand, and the implicit Concurrence with Government on the other. If no Gentleman was permitted to hold a Place, or Pension, with a Seat in this House, no Gentleman, in this House, would persist in a causeless Opposition to Government, with a View to obtain a Place, or a Pension, except he preferred the Place, or Pension, to his Seat, which the honourable Gentleman does not fuppose would be the Case, for he laments that his Friends, the Place-men, would, if this Bill should pass, relinquish the Places they held. Supposing the Measures of Government, in the general, to be right or wrong, a Place Bill is equally necessary; if right, it is necessary to prevent a causeless Opposition, from interested Views; if wrong, it is necesfary to prevent an implicit Concurrence from interested Views; if the Measures of Government

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DAY LXXII.] Affairs of IRELAND. 727

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vernment are sometimes right, and sometimes wrong, it is necessary to suspend the Influence of the Minister by this Bill, that the Members of this House may be influenced only by the Merits of the Measure, either to oppose or espouse it. As to what the honourable Gentheman has been pleased to say against the Bill, as a Measure that will prevent our Natives from sharing any of the Revenues that we are taxed to pay, I cannot help faying that it appears to be as ridiculous as the Excuse sometimes made for Gluttony, that a great Quantity of Victuals is eaten to prevent its being wasted; as eating to excess is the worst waste of Victuals, fo the bestowing the Sums raised among us, in a Manner that will divide this legislative Body into implicit Opponents to Government, and Advocates for it, without Regard to Right or Wrong, is the worst Waste of Money. An impartial Regard to the true Interest of the Public, and a candid, dispassionate, and difinterested Examination of public Measures, in this House, which must take Place, if Expectations of private Advantage from the contrary Conduct is cut off, will be a Benefit to this Nation more than equivalent to the enriching our Natives with our whole Revenue, and the keeping every Place-Man Aaa 3 among

Debates relative to the [DAY LXXII.

among us to the Day of his Death. To the Reasons that I have already alledged, in Fayour of this Bill, I might add the Authority of Example, in our Sifter Country. Such a Law was thought necessary there, though their Parliaments are septennial, and, certainly, it would there have been thought more necesfary, if the Seats of their Members had been vacated only by Death. We have been alarmed with the Evils of contested Elections, but I should think, Sir, that if a Gentleman of Fortune and Character, who has always been attentive to the true Interest of his Country, and has given his Voice sometimes for the Court, and sometimes against it, as the Measure proposed appeared to him to be good or bad, should, by any Accident, have a Place offered him, he would have very little to apprehend from an Opposition, and, confequently, that there would be very little Encouragement to oppose: If a worthless Character should be distinguished as a Favourite, a Man without Fortune and without Reputation, a Contest on his Re-election, would, I think, produce no very dreadful Confequences. The worst that are pretended, are a temporary Diffipation and Expence, Animolity and Confusion; and what is this Diffipation and Expence, this Animor SESA fity

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DAY LXXII.] Affairs of IRELAND 729 fity and Confusion in a Borough, or even a County, in Companion of the perpetual Opposition supposed to be kept up in this House merely by the Possession, or the Hope of lucrative Employments? I do not, indeed, admit that all who oppose Court Measures do it only in Expectation of Court Favour, but that is the Principle of the honourable Gentleman, who spoke against the Bill, and, therefore, I chuse rather to argue upon it than confute it. But, supposing those who oppose to oppose upon Principle, it is certain that those who adopt, adopt from Interest, for what else could cause a Difference of Conduct > It cannot be supposed that there should secretly be a Difference of Opinion, for it would be ftrange, indeed, if all who had received Favours from Government should, at once, fee Things in a different Light, and draw different Conclusions from the fame Premisses. The Capacity of Gentlemen who have Seats in this House, to hold Places and Pensions, substitutes another, and a predominant Aim for that of promoting the public Interest, I mean that of private Emolument; And a Member of this House, Sir, should have Hopes of Advantage only from his Constituents, who can never use their Influence for bad Purposes; the Advan-Aaa4 tage

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tage of the Constituents separately, is aggregately the Advantage of the Nation. Those, therefore, Sir, that the Bill will not be cast asside at all, much less with the Contempt that has been proposed. I do not infinuate that any undue Influence will be exerted by the present Ministry, but the best Time to guard against the Evils of a bad Ministry, is, certainly, that in which we enjoy the Benefits of a good one. I shall, therefore, oppose the Motion, that the Chairman of this Committee should leave the Chair.

The Question being put, it passed in the Affirmative; upon which the Chair was refilmed by the Speaker, 101 doing Q to 200 deed, if all who had receive Government Brould, at once, fee Things in a different Light, and draw different Conclusi-ors from the same Premisses. The Capacity oss from the fame Premifies. of Gentlemen, who have Scare in this Hoofe. to hold Places and Penhons, funditutes andther, and a predominant Aim for that of pro-S. J. Transparent: And a Member of this House, Sir, double have Hopes of Advantage only from his Cornitments, w' a cen never uc their Influence for bad Purpoles; the Advantage Aaaa

TUES DAY, April 17, 1764. different weep and die; and in adocutes in

which it equally contabutes. It preferves for

ONE HUNDRED and FIRST DAY. many who would otherwife baidiffoliste and

ignorant, at one Swappe and Englished

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Securge and Difgrace to Society, and Curl Have in my Hand the Report of a Committee, of which I had the Honout to be Chairman, and which was appointed to enquire into the State and Management of the Work-house of the City of Dublin, the Annual Amount of the Funds of that House. and the Purposes to which the same are applied. I have attended this Committee, Sir, with the greatest Diligence, and I have taken all the Pains, in my Power, to make the Refolutions as ample and as authentic as poffible. This, Sir, was not less my Inclination than my Duty, for, by an Act of George the Second, the Governors of this Work-house were obliged to take in, without Exception or Limitation, all exposed and deserted young Children, under the Age of Six Years, and I have always confidered a Foundling Hospital, as a Charity of the first Class, with Respect

Debates relative to the [DAM LXXII. to public Benefit, and private Virtue, to both which it equally contributes. It preserves for the State many who would otherwise be born only to weep and die; and it educates in Christian Knowledge, and habitual Industry, many who would otherwise be diffolute and ignorant, at once Strangers and Enemies to all the Duties of Virtue and Religion, a Scourge and Difgrace to Society, and a Curle even to themselves, wretched in this World, by the fame Vices which forfeit their Interest in a better. To fopport a Charity of this Kind, therefore, is to fave not only the Body but the Soul is and is a Benefaction not to the Individual only, but to the World ... It is to interpole, like the Delegate of Providence, as the Father of the Fatherless, and to fnatch from Mifery those that are incapable of Guilt; it is to make those in the best Sense Members of Society, who would otherwise be nothing more than an Excrescence at once the cause of Weakness and Deformity, which it is necellary to cut off, but which cannot be out off without wounding the Body. But this Charity, however laudable in itself, however well intended, and however perfect in its first Institution, has by some unknown and unaccountable Causes been greatly neglected, till 01

DAY LXXII.] Affairs of IRREAND. fill within a very few Years, when its defects and decline fell under the Notice of a Lady whose humane and most excellent Disposition was immediately interested in its behalf. and who proposed, as the most probable Method of restoring its original Regularity, and Usefulness, that it should be visited by some Ladies of the first Fashion by Rotation, rightly judging that the Wants of young Children and the Neglects of Nurses fell more within the Sphere of her Sex, than of Ours. In her Visits the was punctual, and affiduous, to a Degree that fufficiently shewed the Pleasure the took in performing to tender and import tant an Office, and, finding herfelf gradually deferted by her Affociates, the at length took the whole Charge upon berfelf, and devoted; not only her Time and Attention to it, but Supported it Aby Several Sums of Money which from Time to Time were found wanting , the reproved the Offending, and enconraged the Goods the provided every Arricle that became negelfary, and engaged the Nur? fes to fulfill their Duty with |greater Tender ness and Assiduity to the Weak and Sickly by pecuniary Rewards; the folicited and obtained a Benefaction to this Charity from his Majesty, and has fet on Foot the Building a Chapel

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734 Debates relative to the DAY CI.

Chapel, to which the Earl of Northumberland has been pleased to subscribe One Hundred Pounds, well knowing that whatever promotes Religion eventually disposes Mankind to discharge the Duties of Life to themselves and others. These Endeavours have been attended with the happiest Success, the Num ber of those that have died fince the Superintendance of this excellent Lady, has decreased almost in the Proportion of ten to one, and by the excellent Occonomy, that the has established, many more are provided for than be fore with the fame Sum. But the Undertaking is too extensive for a private Hand, however diligent, and for a private Purse, however liberally opened a confiderable Sum is fill due to the Nurles, for the Payment of which it is hoped this House will provided this also hoped that this national Assembly will, when it has heard the Report of the Committee, take the State of this important Charity into Confideration, and not only grant fuch Sums as shall be found necessary to pay Debrs, but fuch as shall be requifite to extend the Plan, for as fully to answer its original Defign, especially as, under such a Trustee as I have mentioned, the Money will be applied with the greatest possible Integrity and Skill.

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The Refolutions of the Committee were then read, among which were the following : "That it appears to this Committee, that the " Act requiring all exposed and deserted Chil-" dren, under fix Years of Age, to be receiv-"ed, has been fully complied with. " Ciev of Dublin : and that Mr Grener do

"That due Care is taken of all such Chil-"dren, and for three Years last past, by the " particular and constant Attention of the "Right Honourable the Lady Arabella Den-" ny, (whose Directions the Officers and Ser-" vants are ordered to observe) every Article " relative to the Management of the faid " Children, hath been conducted in the most " exact and proper Manner.

! As the edvanced Scalon of the Year, and "That, by the extraordinary Care of the "Nurses in the Workhouse, excited by the "Premiums given by the Right Honourable "Lady Arabella Denny, for retrieving such of "the Infants as are fent thither weak and " fickly, many of their Lives have been faved.

· been emply and inoft hen odyably falfilled. " To these and all other Resolutions of the "Committee, the House agreed; and ordered " the Report to be printed." his or bas solvers

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The House also ordered, "The Thanks of the House to be given to the Right Honour- able the Lady Arabella Denny, for her extraordinary Bounty and Charity, in promoting the present salutary Regulations in the Foundling Side of the Workhouse of the City of Dublin; and that Mr Cramer do acquaint her Ladyship therewith."

On the 12th of May, his Excellency the Lord Lieutenant came in State to the House of Lords, and gave the Royal Assent to many Bills, and put an End to the Sessions by the following Speech:

My Lords and Gentlemen

"As the advanced Season of the Year, and the Conclusion of the public Business, must make you definous of returning to your respective Countries, I can, with the most entire Satisfaction, put an End to this Session of Parliament, in which your strong Professions of Duty and Affection to his Majesty have been amply and most honourably fulfilled.

Your steady Astention to his Majesty's Service, and to the Welfare of his People, has

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enabled me to carry on the Business entrusted to me, with the utmost Ease and Satisfaction to myself; and I have no Doubt, that as you will receive just Honour and Credit, so the Kingdom in general will reap substantial and permanent Advantages from your Conduct, which has answered my most sanguine Expectations, and engaged my warmest Gratitude.

But I speak with the greater Considence, as I have his Majesty's repeated Commands to thank you, in his Name, for the happy Temper you have preserved in your Deliberation; for the respectful and affectionate Concern you have manifested for the Honour of the Crown; the loyal and dutiful Attachment you have shewn to his Majesty's Person and Government; and the grateful Sense you have expressed of those wise and salutary Measures, which have terminated in an honourable, advantageous, and, we may hope, a lasting Peace.

Your Firmness and Resolution in declaring your equal Regard for our excellent Constitution in Church and State, and your strong and explicit Affertion of those Principles of true Liberty and sound Policy upon which it is found-

founded, and your impartial Care in securing the legal Rights and Properties of all Orders of Men in the Nation, are particularly acceptable to his Majesty, as a clear and most agreeable Proof of your hearty Zeal for the Honour and just Prerogative of his Crown.

But his Majesty's experienced Regard for the Happiness and Welfare of all his Subjects, and the peculiar Delight he takes in the Affection and Confidence of a free People, must give you a stronger Assurance than Words can convey, that you have entitled yourselves to the certain Returns of his Royal Favour; and that while this Behaviour is preserved on your Parts, you may depend upon all possible Countenance and Protection from a King whose Happiness is known to be so essentially connected with that of his People.

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Gentlemen of the House of Commons,

I am to return his Majesty's Thanks to you particularly, for the necessary Provisions so chearfully made by you for the Support of his Government. You have shewn your Care for the Public, by the reducing the Interest, which tends gradually to the Reduction of the Principal of the National Debt. And you may

may be affured that the Confidence you have placed in me for railing a Sum of Money to supply any Deficiency in the Funds granted by you shall not be employed uples the Newson shall not be employed uples the Newson shall not be employed uples the Newson shall not be employed uples the Newson shall not be employed uples the Newson shall not be employed uples the Newson shall not be employed uples the Newson shall not be employed uples the Newson shall not be employed uples the Newson shall not be employed.

by you, shall not be employed, unless the Necessity shall be apparent, as you have already experienced in the like Circumstances, under

the two preceding Administrations.

My Lords and Gentlemen,

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I have nothing to recommend to you, but that when you return to your several Countries, you will use your utmost Endeavours and Influence to inculcate and cultivate among your Constituents and Dependants the same Loyalty and Affection for the King, the fame religious Attention to the Laws and Constitution of your Country, the same Regard for the Rights and Properties of all Parts and Members of the Community, that you have shewn to be the ruling Principles of your Conduct during your Attendance in Parliament. By reminding them of his Majesty's determined Resolution to maintain the happy Conflitution they have so long enjoyed, you will engage them to rest secure in a well-grounded Confidence in his Royal Protection, and never to fuffer mistaken Apprehensions of G-ievances, or causeless Jealousies, to interrupt that Bbb TranTranquillity and good Order which is the Fountain of all political Happiness, the Source and Support of all Industry, Commerce and National Improvement, and is also the constant uniform Object of the best of Kings.

I know not how to express myself in Return for the most obliging and honourable Testimonies of your Approbation of my Conduct, contained in the Addresses from both Houses of Parliament; nor for the Behaviour of the Nation in general towards me during my Residence amongst you.

The Success of my Administration is still the more pleasing to me, as I can ascribe it to the Fidelity and Probity of his Majesty's Subjects here, in which I placed a Considence that, I find, has not deceived me. This will confirm the strong Representation I shall certainly make to his Majesty, on my Return into his Royal Presence, of your loyal and affectionate Zeal for his Service.

I shall be the more sparing in my Prosessions to you, as I have so much Reason to hop you are already convinced that I hold mysel bound by every Obligation to exert my bell En

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fel bel En Endeavours to support and promote your Welfare; and that no practicable Plan for the Service of Ireland, will even be declined or neglected by me, in whatever Situation I may be placed; but none can be more agreeable to me than that in which I have now the Honour of being employed by his Majesty, and in which I have sound such a Support from a loyal and affectionate People, in the Service of a most gracious King."

And then the Lord Chancellor declared, That it was his Excellency the Lord Lieutenant's Pleasure, that this Parliament be prorogued to Thursday, the 21st Day of June next, and the Parliament was accordingly prorogued to Thursday, the 21st Day of June next.

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NAMES OF the SPEAKERS. M. ...

Mr W. B. William Burton, member for Gowran.

Mr C. C. Charles Coote, (now Lord Coolooney) mem-

Rt Hon. T. C. Thomas Conolley, member for the county of Londonderry.

Mr S. M. Stephen Moore, (now Lord Kilworth) member for Lifmore.

Mr E. S. P. Edmond Sexton Perry, member for the city of Limerick.

Rt Hon. F. A. Francis Andrews, member for the city of Londonderry.

Mr J. G. S. G. John Gore, Solicitor-General, (now Lord Chief Juffice) member for the C. of Longford.

Mr H. F. Henry Flood, member for Callen.

C.L. M. D. Charles Lucas, M. D. member for Dublin.

Mr H. L. Hercules Langrifhe, member for Knocto-

Mr R. F. Robert French, member for Carrick.

Rt Hon. Mr A. M. Anthony Malone, member for Caftle-Martyr.

Mr J. E. John Eyre, member for Galway.

Mr J. H. H. P.S. John Hely Hutchinson, Prime-Serjeant, member for Cork.

Mr E. M. Edmond Malone, member for Granard.

Mr W. H. William Harward, member for Lanelbo-

Rt Hon. Mr B. B. Benjamin Burton, member for the C. of Catherlough.

Mr T. M. Thomas Malone, member for the C. of Roscommon.

Mr R. F. Robert Fragerald, member for Dinglekouch.

Hon.

Hon. Mr. B. M. Barry Waxwell, member for Are magh.

Hon. E. S. Edward Stratford, member for Baltinglas.

Mr 7: B. fen. John Bourke, fen. member for Old-

Ri Hon. P. T. A. G. Philip Tildall, Attorney-General, member for the University of Dublin.

Sir R. C. Sir Richard Cox, member for Clogbnikelty. Rt Hon. Mr N. C. Nathaniel Clements, member for

Mr M. P. Marcus Paterson, member for Ballanakill, Sir R. D. Sir Robert Deane, member for Talagh.

Mr J. Fitz-G. John Fitz-Gibbon, member for New-

Mr J. D. James Dennis, member for Rothcormuk.

Mr W. B. William Brownlow, member for the C.

of Armagh rederom .C

R. Hon. W. H. F. William Henry Fortelcue, member for Monaghan.

Mr 7. M. John Malon, member for Blefinton.

MY R. L. Richard Longfield, member for Charleville,

Mr T. B. Thomas Butler, member for the C of

Mr-M; C. Maurice Copinger, member for Ardfert.

Major W. B. Major William Burton, member for New-

Mr F. G. James Grattan, member for the city of Dublin.
Rt Hon. H. L. R. Hen. Lang. Rowley, member the C.

Mr L. O. Lucius Obrien, member for Ennis.

Sir W.O. Sir William Osborne, member for Caries fort.

Lord B. Lord Boyle, member for the county of Cork.

Hor.

- Mr H. S. Henry Shears, member for Cloghnikelty.
- Mr A. Mac-A. Alexander McAulay, member for Thos mas-Town.
- Col. 7. G. Col. James Gisborne, member for Talagh.
- Mr T. le H. Thomas le Hunt, member for Wexford.
- Rt Hon. W. G. H. William Gerard Hamilton, member for Kilybeggs.
- Sir A. A. Sir Archibald Acheson, member for the county of Armagh.
- Mr W. C. William Clement, member for the university of Dublin.
- Mr T. A. Thomas Adderley, member for Bandon-bridge.
- Mr R. M. Redmond Morris, member for New-Town.
- Major St 7. 7. St John Jefferyes, member for Middleton.
- Sir W. M. Sir William Mayne, member for Cariesfort,
- Mr G. L. Gorges Lowther, member for the county of Meath.
- Mr T. D. Thomas Dawson, member for the county of Monaghan.
- Mr 7. B. John Bagwell, member for Tulfk.

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Mr

- Mr 7. B .-- n. John Blunden, member for Kilkenny.
- Lord S. Lord Sudley, member for the county of Wexford.
- Sir A. B. Sir Arthur Brooke, member for the county of Fermanagh.
- Mr O. W. Owen Winne, member for the county of Sligoe.
- Mr A. 7. N. Arthur Jones Neville, member for Wexfords

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- Mr J. C. John Cramer, member for Belturbet.
- Mr W. T. William Talbot, member for St Johnston's
- Mr J. H. Joseph Henry, member for Longford.

Mr M. S. Henry Shears, member for Clogbuikeley. Mr A. Mac-A. Alexander McAulay, member for Thos.

mas- i own.

Col. J. C. Coll. James Cisborne, member for Talagh. ... Mr T. L. W. Thomas le Hunt, member, for Westerd,

Rt Hon. W. G. H. William Gerard Hamilton, member for Kilvheeger

Sir A. A. Sir, Archibald Achelon, member for the country of Armeel.

Mr W. C. William Clement, member for the univerlity

of Dublin.

Mr.T. A. Libertas Adderley, mamber for Eandon bridge.

Major St.J. F. St. John Jefferyes, member to: Middleton. St. W. Mr. Str William Mayne, member for Cartesfort.

Mr. G. L. Gorges Lowther, member for the county of

Mr V. D. Thomas Dawlon, member for the county of Menachan.

ALC Tohn Baywell, member for Timile.

B -m. John Blunden, member for Klikenny.

Lord S. Land Suddey, member for the county of

Sir A. B. Sir Arthur Brooke, member for the country of

Fermanagh

Mr O. W. Owen Winne, meinber for the county of

Mr A. J. N. Arthur Jones Neville, member for Wexford, Mr R G. John Cramer, member for Reltudet.

Mr H. T. William Talbor, member for St Johnston's:

Mr J. H. Joseph Heavy, mamber for Long ord.

The Gentleman who took thefe DEBATES, being in a diffant Part of the Continent while they were printing, a Speech of the R. H. G. H. which will be found in p. 640, was. by Miftake, imputed to J. H. H. the P. S. And the following Errors also escaped the Press, which the Reader is requested to correct,

1, for March 10, read Odober 11. Page

37, line last but one, instead of for life, read at Will,

51, line 1, for Mr R. F, read Mr R. Fitz. 59, line 1, for keep, read belp.

62, line 7, for prevented, read pretended.
68, line 13, for the, read a.
70, line 13, for opinions, read opinion.
71, line 7, for precept, read precepts.
79, line 20, for Charity read Christianity.

95, line 16, for Wrong read to Wrong.
120, line 4, for Examination, read Examinations.
136, line 1, for R. F. read R. Fitz,
143, line last but one, for the R. H. read the H.
172, line 20, for T. H. read W. H.

180, ad paragraph, line 1, for was read is. line 3, for was read is: line 4, for gave, read gives. line 5. for evere, read are.

185, line last but one, for dear, read good,

203, line the last, for Mr B, read Mr W. B. 208, line 4, for Command, tead Commissions.

221, line 23, for Laws of Kingdom, read Laws of the Kingdon

231, line 19, for facred, read fecure.

254, line 4, for to, read in.
308, line 6, for Mr A. M. read the R. H. Mr A. M.

328, line 12, for fet, read fat.
340, line 8, for Mr A. M. read Mr A. M.
392, line 2, for H. T. read H. F.

427, line 16, for Brandon, read Bandon.
429 line 14, for Rt H-ble W, B. read Rt H-ble B, B. 148, line laft, for H. T. read H. F.

475, line 12, for Vereis, read Viris. 476, line 3, for Verois, read Viris.

499; line 15, for brutish, read British.

523, line 2, for W. P. read W. C. 640, line 40, for J. H. H. the P. S. read the R. H. G. H.

662, line 5, for non residenced, read uon resident.

702, line 4, for the Serjeant, read of the Servant.

737, line 13, for Deliberation, read Deliberations.

The Commerce auto Lock the Proposition of the grant free 20th of the Continent words was word princes. A South Trends one of the country tree states. H. D. H. 2 and V. C. H. S. thing Ever ale staped the Eggs with the to the bill of " Survey of Language . Son to bland our one of the set of the set of the And the second s of the season of the self-one of these The street of the practice of the section the state of the s The same and the same and the same seed of the same seed restart of but one for deer read goods to the time of the Comment, was the millione, week how ancient of toron to the stand forms of the standard to the standard of the standard o To disting as for so, readiling The late of the la Les en la fille de wed sine so, for leaded read leading. the said line so for more relicional, want non residently property and for the September and of the St. on designation because a second of by tour define

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How far the RESTRICTIONS laid upon the

TRADE of IRELAND,

BY

BRITISH Acts of PARLIAMENT,

Are a Benefit, or Difadvantage, to

The BRITISH Dominions in General,

And to ENGLAND in Particular,

For whose separate Advantage they were intended.

A S an Introduction to this Enquiry, I shall lay down some Principles with Respect to Trade in general, which, though they should appear singular, will not, I hope, be hastily condemn'd; and if, after an impartial and deliberate Review, they should be rejected as erroneous, I hope I shall not be thought to merit severe Censure; for Error, as by its very Nature it is involunce;

744 An Enquiry concerning the Restrictions tary, must necessarily be innecest; and my Intention will scarce be depied some Degree of Merit, since I have no Wish but to benefit my Country, by the Publication of what I think to be true.

I shall first enquire how Trade arises, what is its Use, when it attains Perfection, and when

it degenerates by Excess.

Trade naturally results from the Establishment of Civil Society, and the gradual Discovery of Arts; and is absolutely necessary to the Subsistence, Prosperity, and Defence of such Society, as will appear from the following Propositions.

It is effentially necessary to the well-being of every Nation, formed of Civil Society, that there should be a Supply of the Necessaries of Life, with Plenty and Conveniency, and an Ability to defend these Advantages from being

seized by others.

The mere Necessaries of Life depend on the Cultivation of Land, and the Breeding of Cattle, and may therefore be supplied to ma-

ny, by the Labour of a few.

As wherever there is Property, it must of Necessity be unequally divided, at least after a very short Time, the Poor will furnish Necessaries

V

ceffaries to the Rich, and the Rich will subfift them for their Labour,

But as the Rich will always be the few, and as the furnishing them with the Necessaries of Life will by no Means employ the many, a great Proportion of the Poor must be without Employment, and, consequently, without Subsistence, if their Labour can be

applied to no other Purpoles,

Those, therefore, whose Labour furnishes the Necessaries of Life, and those who share them without Labour, are all that can subsist in any Society where artificial Wants are not introduced; for how should those who have not Property, and who are not employed for the Accommodation of others that have Pro-

perty, procure Subfistence?

of

2

eies A Community from which these useless Hands should be ejected, might, perhaps, be as happy, possibly happier, than a Community in which artificial Wants should be introduced; but it must necessarily be small, and, consequently, weak. Its Happiness, therefore, cannot be permanent, as it will be liable to be subdued and enslaved at the Caprice of any stronger Power by which it can be invaded.

Ccc 2

As

746 An Enquiry concerning the Restrictions

As it is therefore necessary for national Desence, that the Nation should consist of more than those whose Labour supplies the mere Necessaries of Life, and those who share them without Labour; it follows, that more must be employed, for without Employment they cannot subsist.

Thus it becomes necessary to introduce artificial Wants, the supplying which will procure Necessaries and Conveniencies to the Multitudes whom the Supply of mere natural Wants would leave unemployed, and whom a Society in which natural Wants only

are supplied, must necessarily exclude.

Luxuries, therefore, are necessary, not for the sake of the Pleasure which they bring to those for whom they are furnished, but for the sake of subsisting those who surnish them, in order to secure the peaceable Possession of Necessaries, with Plenty and Conveniency to the Community.

But Populousness alone is not always sufficient for national Desence; a considerable Number of the People must be so employed as to be peculiarly sitted for military Opera-

tions.

A ma-

laid on the Trade of IRELAND.

A maratime Nation, and in particular an Island, must be defended principally by a Marine; it is therefore necessary that the Trade of fuch a Nation, or the Intercourse by which artificial Wants are mutually supplied, should he extended to foreign Countries, that it may employ much shippingoital rollo pi nech

When fuch a Trade is established in any Country, as will fully employ all its Inhabitants, and would furnish Employment to Aill more, the Number will naturally increase, od

When the Trade of any Country will not employ all its Inhabitants, the Number will haturally and necessarily decrease me daudit

When the Trade of any Nation is flich at to render it populous, by finding Employ ment for as many Inhabitants as it has, and as many more as it can produce 3 and, if a may fatime Nation, with a fufficient Number employed in Shipping; fuch a Nation, with refpect to Trade is in the most prospered

Trade that Trade can produce, muss A muse Trade that Trade can produce, muss A muse The Acquilition of Wealth by luch Trade the great End to which it has been generally directed; and the great Advantage supposed to have been derived from it, is so far from being syan has revised both the company of Benefit

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a Benefit, that it is an Eyil, and is so far from

Improrting Trade, that it subverts it.

If any Nation by Trade acquires more Money, whether nominal or real, than other Nations, Labour will be proportionably dearer than in other Nations, and, therefore, the Trade of that Nation, with respect to such Manusactures as other Nations can carry to the same Market, will be fall de se; it will be destroyed by itself; or, which is the same Thing, by the Wealth that it has produced.

though an universal Error, that with respect to Great Britain, Trade is only advantageous in Proportion as the Ballance is in her Fayour, that is, in Proportion as the procures her Imports immediately by Labour, and sells her Emports for Money. For if this should be universally the Case Great Britain would be universally the way Thing that is supposed to constitute her Prosperity and Power, the perpetual Accumulation of Money. It is our linearest say Writers on Trade, to pay for our Emports rather with Labour than Money, because Money employs no Hands. This however, is a Missake for Great Britain beginned to Mines of Gold and Silver, can have

no Money but what the procures by Labour: All therefore, that the purchases, is ultimately purchased by Labour, and if her Labour is first changed into Money with one Country, and in this Form charged into Commodities with another, it is Labour flill: and Industry will be equally busied to procure more Money at lone Market to carry to another, as to fend away Product or Mahufacture in Kind, to the beny Market to which they are now femp converted into Money, with this Advantage, that the Money which a Ballance of Trade with tent Nation brings Home, not being retained annuing us, the Value of Labour will not rife foval gradually to fubvert our Manufactures, confequently our Trade, by enabling our Neighbours to underfeil us at the more is necessary to ballance applied Minighed

those things which it is to purchase, and when Money, by great Plenty becomes cheap, of the Phings will necessarily become dear in the same Proportion. When one hundred Points is equivalent to the Points a Year for ever, it will go just as far as two hundred Points, when one hundred Points, when one hundred Points, when one hundred Points is equi-

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and he that possesses one hundred Pounds when it is equivalent to six Pounds a Year for ever, is just as rich as he that possesses two hundred Pounds when Money has lost half its Value by the very same Cause which doubled his Property.

With respect to Trade, Ireland and England feem to fuffer fimilar Evils from oppofite Caufes. Ireland fuffers by Reftrictions and Prohibitions which deprive its Inhabitants of Employment, and confequently leffen their Numbers, both by preventing Propagation, and driving many out of the Kingdom who cannot procure Subliftence in it. And England fuffers by an excellive Accumulation of Money, whether Naminal on Real, in confequence of which, its Value being less more is necessary to ballance any given Quansity of Negellaries, and the Price of Labour is proportionably increas'd, fo that the Manufacturer is unemployed, because the foreign Market is Supplied by those; who can work the fame Proportion. When one requesto:

there will be in every Country, but this is wholly independent of the Relation between the Price of Provisions and Labour, and the Value

Value of Money The Value of Money will be proportioned to its Scarcity or Plenty, and the Price of Provisions and Labour will always be in Proportion to the Value of Money; yet it does not follow, that the Inhabitants of any Country will, with Respect to each other, be richer when Money is Plenty, on Poorer when Money is Scarce; nor that when the Plenty of Money has advanced the Price of Provisions and Labour, they will be procured with more Difficulty, than when the Scarcity of Money rendered the Price low as for the very Cause that makes Provifions and Labour come for a little Money is, there being but little Money to Procure them, and wice versa. Plenty and Scarcity, with Respect to the necessaries of Life, or their Deannels or Cheapnels to the Inhabitants of any particular Country, does not depend upon their Value in Proportion to the Value of Money, upon their felling for much or for little in confequence of Money's being either plenty or fcarce; but upon the Proportion between the Worth of Labour or Art in any Country, and the Worth of Price of Necessaries. In a Country where the Labour of an Artificer is worth two Shillings a Day, Trade

And Meat is four Pence a Pound, Meat hay be faid to be as cheap, as in a Country where the Labour of an Artificer is worth but one Shilling a Day, and Meat is two pence a Pound; but if in one of these Countries, Meat by an accidental Scarcity, rifes to five pence a Pound, and in the other to three pence, while the Price of Work or Labour continues the same, Meat may then justly be said to be dear. Thus Provisions are dear and cheap, not in Proportion to the Sum they cost, but in Proportion as they Ballance the Worth of Labour; when they less than ballance it, they are cheap, when they more than ballance it, they are cheap, when they more than ballance it, they are cheap, when they more

That now endeavour to thew, that Exyland and Ireland being one Aggregate, what
Biffeelles Deland, must, in the proportion that
Peland bears to England, different the Whole,
Because England, compared as an Individual
Biffiell from Ireland, does not delive the Dehest the proposed from those Refrictions
Which liffiels ther after Country, and I
thall endeavour to shew farther, that his wajesty's Dominions, including both England
and Ireland, fusier by the Distresses of Ireland,
his consequence of the Restrictions upon the

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faid on the Trade of IRELAND. Trade, more than in the Proportion which treland, as a Part, bears to the Whole; and that the Difadvantages of Ireland in this Relpect are eventually Diladvantages to England, in the fame, if not in a greater Degree.

The principal Articles in which the Trade of Ireland is reftrained, with a View to the particular Advantage of England, are Provifions of various kinds, manufactured Wool. Sugar, and Melailes Control and

By a Statute pass d in the eighteenth Year of Charles the IId. the Exportation of Cattle, Butter, and other Necessaries from heland to England was prohibited, with a View to keep up the Value of English Land, by encouraging home Confumption. The fatal Effects of this Prohibition to Ireland are manifelt, and it has produced Effects hite leis fatal to Bagland, inflead of the Advanwhens are thus made dear Bologorg aft bent

First, it has concurred with the Cause atteatly affigued to interease the Price of Provillions th England, by giving a Monopoly to a few breeding Countries to exact a Price to Cartie har higher than in Proportion to the Value of Money and the Bapenie of Breed. ing in Confeduction of which, or has raised

the

754 An Enquiry concerning the Rollrictions the Price of Labour, and encreased the Expence of Freight; in both which Particulars it has injured our Trade, for when the Manufacturer is paid a high Price for his Labour, and the Ship that should carry the Commodity he makes to a foreign Market is victualled at an increased, Expence, we cannot fell our Commodities to cheap as our Rivals, and confequently must at length be supplanted by As this Monopoly, with respect to the People, is unjust, and with respect to the Trader destructive, so, the Advantage to the Landholder is only imaginary.

In consequence of the Statute against importing Provisions from Ireland, the English Grazier fells English Cattle at a higher Price, and pays his Landlord an advanced Rent; but what then? Both the Grazier and the Landlord lose more than they gain; as Provisions are thus made dearer to the Manufacturer, the Manufacturer will in his Turn make Labour dearer, and dear Labour will make dear Goods of every Kind Even unmanufectured Commodities will always be fold dear in the same Proportion as Provisions are dearly hought, as than been proved, to a Domonftration, by the great Mr Lock, and in almof

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most every Treatife upon Taxes that has been written; where every Duty has been shewn to fall ultimately on the Land-holders; upon those who cannot encrease their Revenue in proportion as Government encreases their Expence; which Traders of every Kind do, by raising the Price of the Commodities they fell in Consequence of a Tax, whether they be the very Commodities on which the Tax is laid or not *. So that if the Grazier and Landlord, after felling Cattle at an exorbitant Price, and receiving an exorbitant Rent, pay proportionably more for every Article they confume, the Ballance must certainly be against them at the Year's end

As every Prohibition on the Trade of Ireland produces a Monopoly in England, every fuch Prohibition must of Necessity hurt the Trade of England; for a Monopoly always adds an artificial Value to the Commodity, and confequently must prevent the Exportation of it to Foreign Parts, whither the fame Commodity is fent from Countries in which

it bears

^{*} It has been computed by the most skilful Political Arithmeticians, that for every Twenty Shillings raised Government by a Tax, the People pay Three Pounds.

it bears only its natural Value. How would a Dutchman or a Frenchman laugh, fays Decker, to hear the Wisdom of our Laws extolled for preventing the Importation of Cattle from Ireland, and Corn from any Country, except it first bears an immoderate Price at Home, when he reflects that in his Country, the poor, getting Provisions from any Place where they can be had cheapest, are enabled to work at Prices which an Englishman could not live by?

The same salse Policy, however, that sirst prohibited the Exportation of Provisions from Ireland to England, continued the Prohibition; the People of Ireland therefore applied themselves to the breeding of Sheep, rather than Cattle, with a View to raise a Growth of Wool; nor did they stop here, Manusactures were soon established, and their Wool was wrought into Stuffs of various Kinds, which turned to good Account.

But this was no fooner effected than England took the Alarm; she knew that Labour was cheaper on the other side of the Water, and seared that the Irish would supplant her

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her in foreign Markets by felling the fame Commodities at a lower Price; with a View therefore to encourage her own Manufactories, and fecure them against so dangerous a Rival, the, by an Act of the tenth and eleventh of William III. prohibited the Exportation of Wool from Ireland, after it should be manufactured, except only to England and Wales. Jacques roune a olome it she'll

But this Measure was so far from benefiting England at the Expence of Ireland, that with respect to the Trade in Question, it has involved both in the fame Ruin, of a . for W.

That it was a fatal ftroke to the Manufacture of Ireland, in its most effential Article, needs no Proof; to shew that it was equally fatal to the Manufacture of England, in an Article that to her also was of the greatest Importance, it is necessary to consider the Subject in an extensive View.

It is of infinite Importance to every Nation that depends for Prosperity and Defence upon foreign Trade, to have some Manufacture or Commodity peculiar to itself, such as no other can supply the foreign Market with, and, confequently, fuch as may be fold at the most advantageous Price. A Nation that has such

758 An Enquiry concerning the Restrictions, a Commodity, or Manufacture, in an Article of great and universal Consumption, has an Advantage superior to every other.

Such a national Advantage to Great Bri-

tain and Ireland is WoolA na vd and lave

Ist. As manufactured Wool is of universal Consumption, it employs many Hands.

adly. As it is a principal Article of foreign

Trade, it employs much Shipping.

without the Wool of other Countries, and as other Countries cannot manufacture their Wool, to the same Advantage, without ours, Wool is a Peculiar of these Kingdoms, which will enable us to command a foreign Market, even though Labour should be dearer with us than with others.

The Wool of the Southern Nations, particularly of Spain, is so tender and fine that it cannot be woven into strong, thick, close Cloth, such as is sit for general Use: The Wool of the Northern Countries is so coarse, and harsh, that it cannot be manufactured into Cloth sufficiently soft and fine for general Consumption: But either, being mixed with our Wool, which, like a middle Quality, reduces both Extremes, may be made into excellent

cellent Cloth, that will rival our own, and if more cheaply manufactured, fupplant it at the foreign Market, by felling at a less Price.

It is therefore of the utmost Importance to prevent the Exportation of our Wool unwrought, or, as the Traders and Manufacturers call it, raw; and many Laws were made for that Purpose both in England and Ireland.

But it being found, that several Statutes made in Ireland for that Purpole were become obsolete, the Parliament of England passed an Act, in the 12th Year of Charles the Second, which prohibits Ireland from exporting Wool to any Country but England and Wales, under the severest Penalties.

The Importance of this Act may be fairly inferred from the Act itself, for it is to be prefumed, that absolute Necessity only would have induced a British Parliament to break through a Rule upon which the Liberty of a British Subject depends, " That every Country ought to be governed by Laws of its own making," and to violate the Constitution by subjecting Ireland to Laws made in another Kingdom.

This Law, fo long as Ireland was permitted to export her Wool manufactured, effectually Ddd restrained restrained her from exporting it raw; and though a few obscure Persons set themselves to acquire an unlawful Gain, by smuggling away raw Wool, yet, it being the Interest of the Majority, indeed of the Country in general, to prevent it, in order to secure the Advantage of the Trade carried on by the Woolen Manusacture, they were diligently watched, and seldom escaped Detection and Punishment: These Smugglers were consequently few, and the Injury they did to the general Trade both of England and Ireland, was proportionably small.

But when Ireland was restrained from exporting her Woolen Manufactures, the Exportation of raw Wool became the Business not of a few, but of many; it was no Man's Interest, merely as a Native of Ireland, to prevent it; it was therefore not only connivid at, but encouraged; and those who did not unlawfully export raw Wool for a pecuniary Advantage to theraselves, were well pleased to see it done by others, from a Principle of Resentment and Indignation against those who had subjected them to what they could not but consider as a cruel and oppressive Law, which had not only impoverished many Individuals, whose

whose Wealth was a common Benefit, but cut off Bread from the Mouths of innumerable industrious Poor, and, consequently, produced national Impotence and Poverty.

But the Number that derive immediate Advantage from this Practice is very great: The Persons who graze the Sheep, and who are called Flook-Masters, sell the Wool at a greater Price than it would setch if it was not smuggled away, and it passes through several Hands, three at least, and sometimes four, before it comes into the Possession of those who privately ship it, all of whom have a Profit upon the Trade.

As the Wool smuggled away to foreign Countries, is taken by them at a very high Rate, the Price of that Commodity is so much increased, that the Natives of Ireland can scarce afford to manufacture it, even for home Consumption *; so that as the Act

^{*} Decker says, that our Wool smuggled to Foreigners, sells at above 50 per Cent. Advance on the English Price: Yet their Labour is so much cheaper than ours, and the Proportion of their own Wool, which a Mixture of ours enables them to manufacture, so great, that when thus mixed and manufactured, they can sell the Commodity at a lower Rate than we can. Tacker says, that a Clergyman of the West of Ireland told him, that the Wool-Smugglers of his Parish got upwards of 50 per Cent, by the Wool that they sold to the French.

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for prohibiting the Exportation of manufactured Wool from Ireland, put a Stop to all the Looms that were employed for foreign Trade, the imuggling of Wool raw, which was the Consequence of that Act, has stopped allo, in a very great Degree, the Exportation to England and Wales.

The Number of Hands that are thus deprived of Employment, and, confequently, of Mouths that are deprived of Bread, is very great; and I find it recorded, upon good Authority, that when the Woollen Manufactory in Ireland was destroyed, by the Prohibition to export the Work of the Loom, no less than twenty Thousand industrious Artizans less

the Kingdom at once.

But the Evil does not stop even here; The great Price obtained for Wool claudestinely exported, is an Encouragement to all Owners and Occupiers of Land to put their Ground under Sheep, so that the Poor, who, in default of Manufactures, would be employed in Agriculture, are also cut off from that Resource, and the Number that cannot subsist in their native Country, is thus greatly increased, Nor is this an aggravated Representation, exhibited to answer a particular of blo years and looks. Purpose and the Agricular of blo years and looks.

Purpose: The Want of Employment for the Poor of Ireland at Home, is to notorious, that it is well known two Thirds of the Country are uninhabited, while there are no less than fifteen Thousand of them incorporated as Mercenaries in foreign Armies." The Number employed abroad in other Capacitles must be still greater, as this is certainly the least eligible, and is the Resource of those only, who can get Employment in no other. Numbers are still continuing to go out of the Island at all Opportunities, and Bread being rendered dear, by the great Quantity of Land used for the grazing Sheep, at the same time that the Labour of the Pealant is precluded, the Wretches that remain have scarcely the Appearance of human Creatures. In Exgland there is no fuch Thing as Poverty, in Comparison of what is to be found in every Part of Ireland, except the Cities and principal Towns.

Nor do the Inhabitants of the Cities and principal Towns escape the Evils produced by the contraband Exportation of Wool. The Returns of this illicit Trade are always in Goods smuggled in by the same Hands that smuggle the Wool out. The Vessels

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764 An Enquiry concerning the Restrictions concerned in this Trade cannot wait for any regular Freight, but must take what they can get; yet any Thing is better than French Currency, for that is worth fo much less in Ireland than in France, that it would produce a very confiderable Loss. The Goods then brought in Return for our Wool, are foreign Spirits, and other Commodities, upon which the King has a high Duty; and these being smuggled on Shore, a new Train of Evils is the Confequence; the fair Trader is injured; and the Revenue falling thort, by the nonpayment of the Duties that should support it, new Taxes become necessary, and thus the Smuggler's Profit comes out of the honelt Man's Pocket, whether he is a Trader or not.

The smuggling Wool, therefore, with Respect to Ireland, depopulates and impoverishes the Country, at the same Time that it increases the Taxes, and raises the Price of bread. It deprives the Poor of Employment, discourages Industry, promotes Idleness and Debauchery, disposes the common People to insult Government, sows the Seeds of Rebellion, and quenches Humanity, by making Violence, and, in some Cases, Murder, ne-

ceffary to Self-Defence.

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Those who imagine that this Practice can be prevented by any Laws, however fevere, or by any Diligence in the Execution of them, while the Temptations to continue it remain. know very little of human Nature. The Anguish of Distress, and the Sense of Injury on one Side to urge, the Profpect of Relief and Revenge on the other to invite, will furnish Motives that no human Power can controul. It is as cruel and as vain to expect that the People of Ireland thould abstain from imuggling Wool, because it is forbidden by those who have already forbidden them to eat, by prohibiting the Exportation of it manufactured, as to expect that a Man should drown contentedly because he cannot come on Shore, without trefpaffing upon the Ground of him that thrust him into the Water atherefore, would be fully sand

Whatever is an Injury to Ireland, is certainly contrary to the general Interest of that Dominion of which Ireland is a Part; and the general Disadvantages sustained by the wild be formerian in Medical barfe

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Mr Leck observes, that though the Exportation of Money is prohibited in Spain under Pain of Death, yet the Spaniards furnish all the World with Gold and Silver, and have lefe of it themselves than any other People.

766 An Enquiry conterning the Restrictions Oppression of Ireland is great, in Proportion to the Advantages that might be derived from that Kingdom, if it was in a flourishing State: These Advantages are immense, and, conseequently, the mere Interception of them, exclusive of the positive Evils that accrue, is an immense Loss and Detriment to the Britifb Dominions in general, as will appear on the most cursory View of Ireland, with Re-Afpect to its Situation and natural Superiority rover other Countries. That the Natives are naturally industrious, appears by the Readiones, and even Zeal, with which they came -into the Linner Manufactory that has lately been established among them. . That, if they scould procure Sublistence, they would multioply greatly, appears by their Fruitfulness, where no Impediments restrain, it. The Country, therefore, would be fully peopled, -if proper Methods were taken to fublist its Minhabitants; I or rather, if they were fuffered, bwithout Molestation, to exert their own Efforts odo fiblish themselves and Ireland, if fully peopled, would be superior in Wealth, Power, and Influence, to any Country of the same Extent in Europe, for no Country has fo wholfome a Climate, fo fine, fertile, and im-Dide proveproveable a Soil, such general and commodious inland Navigation, nor Sea-Ports and Harbours so admirably adapted to a foreign Trade.

But the Prohibition laid upon the Exports of Ireland, with Respect to the Woollen Manufactures, and the smuggling raw Wool to France from thence, its inevitable Consequence, produce the most important Mischief to England, independent of the Disadvantages which they produce to that Kingdom, and of the Loss England sustains in Consequence of those Disadvantages.

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It cannot be pretended that England encreases her Inhabitants in Proportion as the depopulates Ireland. If the Number of People then is the true Strength of a State, the Depopulation of Ireland is a neat Lois, in the most important Article, to the British Dominions.

But England is a Lofer, even in the very Article of Trade which Ireland has been thus facrificed to fecure and increase. Every Pack of Irish Wool will work up at least two Packs of French Wool, none of which could be wrought up without it, into any Stuff that would rival us at Market. For every Pack, therefore,

An Enquiry concerning the Restrictions therefore, of Wool, wrought into any fuch Stuff, that would have rivalled us in a foreign Market from Ireland, if her Ports had been open, there are now three Packs fo manufactured. The Disadvantage, therefore, to England arising from the Sale of one Pack of Irish raw Wool to France, is greater, as three to one, than the Disadvantage which she would have suffered if Ireland had exported the same Quantity wronght into Cloth; with this Aggravation, that Erance, our Rival and Enemy, gains what we lole, instead of Ireland, a Sister Kingdom, subject to the same Prince, and united by the same Interest. Thus do we put a foreign and hostile State into Possection of the Advantages which we forego, which is just doubling our Loss, and sheir Gain. Nor are these Evils the Creasures of mere speculative Deduction and theeretical Argument; they are evinced by Facts too notorious to be doubted, for England has siready lost the Woollen Trade to the Levant intirely, her Trade to other Parts is decreating, and in many Places the Woollen Trade is carried on wholly by other Nations, who could have thered a very inconfiderable Part

laid on the Trade of IRELAND. 769 of it only, if we had not furnished them with materials.

The Truth is, that while an exorbitant Currency, heavy Taxes, and innumerable Monopolies, especially that arising from the Prohibition of Provisions from Ireland and other Parts beyond the Sea, make Labour dearer in England than in Ireland or France, either France or Ireland must have the Woolen Manufacture. The French have it now, but Ireland might still secover it out of her Hands, for even now she transports clandel-tinely a few Camblets to Liston, where she underfells the Franch: and will England still continue to complement the Franch with a Trade that she denies to Ireland?

The third Article in which the Trade of Ireland is rostrained for the supposed Benefit of England, consists of Sugar and Melasses. The Restraint was once extended to other Commodities from the Plantations, which were by Law forbidden to be carried from thence to Ireland, without being first entered and landed in England. After both England and Ireland had suffered by this Restriction more than half a Century, it was taken off, except with Respect to some Commodities

that "

An Enquiry concerning the Restrictions that were particularly enumerated in the Act of Repeal, the principal of which were Melasses and Sugar. But there is the same reaspect to these Articles that there was for taking it off from the others. While the Refriction was general, the Price of various Commodities, particularly Pitch and Tar, was to railed to the Confumers in Ireland, who received them from the Plantations through England, by the Delay and Expence of this double Navigation, that the same Commodities could be procured cheaper from other Countries, and the Confequence was, that Ireland paid one hundred thouland Pounds a Year, one Year with another, to foreign Nations, for Commodities which the might have had from our own Colonies, and which, fince the Prohibition to import these Articles with out landing them in England has been taken off, the has from our Plantations again.

Why then should the Restriction be continued upon Melasses and Sugar? Ireland, to avoid the Cost, Danger, and Delay that necessarily attend the only Method in which she can receive these Commodities from the British Colonies, procures Brandy and Sugars and Sugars

from France, for which the pays no less than one hundred and fifty thousand Pounds per

By the Teade with France Into which England has driven her fifter Nation, the has drawn apon herfelf two very confiderable Difadvantages; in the first Place, the has intercepted one Hundred and fifty thousand Pounds a Year which would otherwise have gone to her Colonies, and in the fecond Place, the has encreased the Power of France to Supplant heb Trade; for France, in return for Brandy and Sugar, takes Trifb Beef, against which England has fout henown Ports; this Provision being procured at a low Price. French freight is made cheap in Proportion, thus the French victual their Ships upon better Terms than England can do from her own Coast, and the not only fuffers it, but makes it necessary. Without Irifh Beef, fays Decker, the French could not well victual their Ships at all, and this supply of Irifb Beef actually enables the French to undersell England in the Sugar trade in Europe.

land from interfering with her Trade as a Rival, the should rather endeavour to enrich

than to impoverish her, in Consequence of which, the Price of Labour would nife; at the same Time, England, by availing herself of Labour at Plome.

If England was to open her Ports for Irifb Provisions, and fuffer Breland to export her Manufactures, the Price of Labour in both Countries would be brought nearer to a Ballance and Ireland would confequently be lefs able to supplant England in the foreign Market. Belides, if Ireland was allowed to expert her Wool manufactured, and the imniggling away her raw Wool was thus prevented, the whole foreign Market would be fecured to us, which England must of Necessity furnish with two Parts in three of the Wool-Ien goods fold there, for the following manifest Reafen. One thousand Stone of Irish Wool produces three thousand Stone of Manufacture. If the Irifb therefore worked up their Wool, they could Manufacture but one third of that Quantity, but as the demand for Cloth abroad would be the fame, there must then remain two thirds of the Demand unfatisfied This Demand foreigners cannot supply from the nature of their Wool, and confequently

quently England must; into whole hands two thirds of the present Woollen Manufacture of France would therefore necessarily fall; thus not only England in general would be benefitted, but even the Growers and Manufacturers of Wool, by a Repeal of the very Law that has oppressed Ireland with a View to their Advantage.

But if England could not share this Trade with Ireland, it would be her Interest to let Ireland enjoy it alone, because she has no Alternative but to transfer it to France. If England should be in Distress she will find a Resource in Ireland for Relief. If she should part with a proportion of her Strength to Ireland, it will still be exerted in her Behalf, for her Advantage and Desence; but if she parts with it to France, it will be employed against her, to her Disadvantage and Ruin.

As England and Ireland are one Dominion, though two Kingdoms, it is the greatest Abfurdity imaginable to suppose, that what injures a part, can benefit the Whole; that a Measure which enseebles, depopulates, and depresses one third, can render the Aggregate strong, populous, and flourishing.

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Public Happinels, and public Wealth, are Terms under which Mankind in general feem not to have conceived any definite and distinct Idea. Happiness in a political View, and as far as it can be produced and fecured by civil Institution, is the Enjoyment which arises from the Gratification of natural Wants, and fuch Wants as universal Habit has supering duc'd, with Plenty and Conveniency: As the Public is nothing more than an Aggregate of Individuals, public Happiness must be in proportion to the Number of Individuals who possess these Advantages, and the Degree in which they are possessed. Public Wealth is a general Ability to procure these Advantages; and Trade is the Cause and Medium of public Wealth, (i.e.) it is that which produces and circulates it. Public Happiness therefore, does not confift in any of the iplendid and expensive Vanities, which in the nature of Things, can be possessed but by a few; nor is public Wealth in Proportion to the Quantity of Money brought into and left in the Country from abroad. There may be great national wealth, in this Sense, without a general Ability to procure the Necessaries of Life with Plenty and Convenience; nay, this bublick

this Abilility will be less general in proportion as national Wealth, in this popular but fallacions fense of the word, becomes greater: Poor and Rich being relative terms, the Poor must always be poor, in the same Degree that the Rich are rich; but the Rich do not gain by Wealth in the fame proportion as the Poor fuffer by Indigence: He that has been long used to dine upon Plate, is no happier than if he dined upon Pewter; but he that cannot fatisfy Hunger, is certainly much less happy than he that has plenty of wholesome Food. I Neither indeed are those who are comparatively Rich gainers by that increase of Property which rifes from the increate of Money brought into the Nation and left in it by Trade, for the Reason that has been affigned already; the fame Caufe that encreases their Property, proportionably encreases their Expence. Nothing for instance, can encrease the Value of Land, that will not proportionably encrease the Price of whatever the Rent received for fuch Land can buy. Of this Truth the Writers upon Trade feem fometimes to have had a glimple, and then to have lost fight of it again; for it is common to find the fame Advocate for Trade, when Eee

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he is recommending it as a general Benefit, make court to the country Gentleman by telling him that it will enerease the Value of his Land; and when any method is proposed to encrease the Value of Land, which he thinks hurtful to general Trade, he is very ready to remind his old Friend, that by such encrease he can gain Nothing.

Trade is the medium of public Wealth, in the true sense of the Word, only when it produces a general Ability to procure such things as are become generally Necessary, whether by Nature or Habit. To do this, the Trade of every Country must be such as sully to employ all its Inhabitants. In a Country where all are employed, none can suffer by Indigence; where sew are employed, the sew are too many; where many are employed, the many are too sew.

Every Measure, therefore, which lessens Employment in one part of a Kingdom, that those who are employed in another part of it may get more Money, is not less absurd than cruel; those who are lest idle must starve, those whom a Monopoly enables to see a factitious Value upon any Manusacture or Commodity will get Money indeed, but cannot

cannot be rich, for every Monopoly necessarily encreases the Expence of Life.

It is manifest, therefore, that the Laws which leave the Inhabitants of Ireland without Employment, have an immediate and necessary Tendency to diminish the Strength, Happiness, and Prosperity of the whole British Dominions, and are hurtful even to En-

gland herfelf.

It must be remembered, that as the Inhabitants of every Country, where all are fully employed, will necessarily increase, the Strength of such Country must encrease also: And national Strength will not only secure Advantages already possessed, but compell others; as it will render the Attempts of an Enemy unsuccessful, it will also prevent them; and thus the same Cause that circulates the Blessings of Peace, will prevent the Calamities of War.

If Power, therefore, is advantageous to a State, so is extent of Dominion; for the same Number of People cannot live upon ten Acres of Ground that can live upon twenty. It must then be admitted, that if the Number of Acres in England was doubled, and the whole was fully peopled, and the People fully Eee 2 employed

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employed, the Aggregate of Happiness and Strength would be great in Proportion. Will not Ireland, therefore, secure to us all the Advantages arising from Increase of Territory, if England does not depopulate it, by cutting off Employment, and consequently Bread, from its Inhabitants ? And can England procure any partial Benefit by Treatment to injurious and cruel, in Proportion to the Lois of such Territory and its Advantages? Though the Sea divides England from Ireland, both are subject to the same Sovereign, Parts of the same Dominion, have the same Friends and the same Enemies, are connected by a common Interest, and produce the same Articles of Commerce. England, in making Laws to make Ireland poor, says Sir Francis Brewfler, in his Essay on Trade and Navigation, acts just like a Man who should set his House on fire that he might burn his Neighbour's.

Is Ireland a distinct Kingdom? So was Yorkshire in the Time of the Heptarchy? Is Ireland distant from England? Several Counties in England are still more distant from each other, and the Communication between them is not so easy, with Respect to Com-

merce,

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merce, as the Communication between England and Ireland. Ireland is more advantageously situated for the West-India Trade than England. Is that a Reason why the West-India Trade should be confined to England? It is the general Interest to direct Trade where it can be best carried on, and not to make the Facility of carrying it on at one Place, a Reason for transferring it to another. Bristol is better situated for the Irish Trade than London, should London, therefore, petition that the Port of Bristol should be lock'd up?

Suppose England itself was divided into two Kingdoms, one comprehending all the South, the other all the North Side of the Thames, and there were hostile Prohibitions against importing certain Sorts of Goods from London to Southwark, and from Southwark to London, and high Duties upon all the rest; would not the Community manifestly suffer? and is not the Case exactly parallel with Respect to the two Parts of the British Dominions that lie on opposite Sides of the Irish Channel.

Postlethwaite, a sensible Writer, justly obferves, that every Argument which can be formed to prove that any certain E e e 2 Branch

780 An Enquiry concerning the Restrictions Branch of Trade should be confined to one Part of the British Dominions, which might be carried on with equal Convenience at another, against rival Nations, will prove, that fuch Part should itself be divided. If England argues that Ireland should have no Trade in manufactured Wool, it may be argued against Yorkshine, by the rest of England, that this County should be excluded too; by pursuing this Argument, the Manufacture may be hunted down into one County, thence into one Town, may even to one House, and in that House to one Manufacturer. The general Interest will suffer by the Exclusion in the same Proportion that the Part excluded bears to the whole.

As it is manifest, for the Reasons already assigned, that England can secure no Advantage to the British Dominions in general, nor to herself in particular, by restraining the Trade of Ireland, it is natural to enquire whether the Advantages which she proposed by this Measure can be procured any other Way.

It has been shewn, that the Prohibition of Fish Cattle was intended to increase the Value of English Land, and that raising the Value of English Land, and the Value of Eng

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hie of English Land is no Advantage to England in whatever Degree it may be effected.

It has also been shewn, that the Prohibition to export manufactured Wool from Ireland, was laid on, that the Manusacturers of England might have a Monopoly in that Article; that England manusactures less Wool since this Measure than before; and that she has given to France all that she has taken from Ireland, instead of securing it to herself.

As to Melasses and Sugar, it has been proved, that instead of procuring any Advantage from the first landing such of these Commodities in England, as were to be consumed in Ireland, England has sent Ireland from her own Plantations to another Market.

And it is plain that these Measures were originally suggested by the great Difference between the Price of Labour and Necessaries in Ireland and England; to bring the Price of Labour and Necessaries nearly to an Equality in both Countries, is, therefore, the only Means of procuring the Advantages which were intended by restraining the Trade of Ireland, and which restraining that Trade can never produce.

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Many

782 An Enquiry concerning the Restrictions - Many Methods of doing this have been foggested. Postletbreaite advises the Cultivation of more Land; others, the Abolition of Taxes. A critical Examination of this Subject cannot be expected here, but it is not altogether foreign to the Defign of this Tract, to shew that one very confiderable Caufe of the Dearness of Labour, and the Nerefferies of Life in England, refults from the Methods she has taken to procure those very Advantages which the high Price of Labour and Necessaries preclude, and particularly from the innumerable Monopolies which the has eftablished with a View to engross Trade, and increase Money and bushand

In Sir Matthew Decker's Essay on the Causes of the Decline of soreign Trade, he has observed that the Dutch, though more taxed in the Necessaries of Life than any other People in the World, beat us out of our Trade, by sabricating the same Manusactures for less Money; and to shew how this happens, he exhibits the following State of the Disadvantages of an English Woollen Manusacturer, in Comparison with the Woollen Manusacturer of Holland.

The

The Disadvantages of the English Manufacturer, are,

ift. He must buy Bread made of English Corn, though dearer than foreign. Farmer has a Monopoly against the Manufacturer, and all Monopolies enhance the Price of Goods.

adly. He has no Drawback upon his Corn. 3dly. He has no Drawback on his Malt. 4thly. He has no Drawback on his Leather. othly. He pays a Duty on his Coals of 10s. a Chaldron in London, and 5 s. a Chaldron in the out Ports.

6thly. He must buy English Beef, Pork, Mutton, Lamb, and Butter, though he can have IRISH CHEAPER. This gives the Grazier a Monopoly against him to make his Meat dear.

7thly. He must buy Fish caught by British Vessels (except a few Ports) though he can have it cheaper from the Dutch and French. This gives the Fisherman a Monopoly against him to make his Fish dear,

8thly. He must not buy foreign Hats, Cloths, Stuffs, Stockings, or any coarse Woollen Goods for his own Use that are cheaper than English, even though he could fell his own to

Good

greater

784 An Enquiry concerning the Restrictions greater Advantage than wearing them him-felf. These several Branches, therefore, have a Monopoly against him, and the rest of the Nation, to make all Sorts of Cloathing dear.

othly. He must not buy French Linnen for his own Use, however cheap, by which the Linnen Countries have a Monopoly against him to make his Linnen dear.

nothly. He must not buy, for his own Use, foreign Sheermen's Sheers, Iron, or Tin-Wares, however cheap, which gives the Manufacturers of those Wares a Monopoly against him, to make his Utensils of Iron and Tindear.

Goods, which are imported for his Use, at the cheapest Market, but only at the usual Ports of Shipping; thus particular Ports have a Monopoly against him to make these Goods dear.

ped at the cheapest Freights, but must ship them on British Ships or Ships of the Country, and at the usual Ports, by which these Ships have a Monopoly against him, to make these Goods still dearer.

13. He has heavy Customs to pay on the Oil and Soap he uses in manufacturing his Goods

Goods, which contributes to enhance their Price.

A Dutch Woollen Manufacturer is in a Situation just the Reverse of this; his Advantages are,

1. He buys always the cheapest Corn that can be got to make Bread, and has no Corn

2. He has 5 s. a Quarter Drawback on English Wheat: computing Freight and Charges at 1 s. 6 d. per Quarter, he is fed by the English cheaper than their own People by 3 s. 6 d. in every Quarter of Wheat.

3. He has 25. 6d. a Quarter Drawback on English Malt, to make his Drink come cheaper to him than to our own People.

4. He has a Penny in the Pound Drawback

upon English Leather.

5. He has British Coals at three Shillings a Chaldron Duty, which is two Shillings cheaper than the out Ports, and seven Shillings cheaper than the Londoners.

6. He may buy Beef, and other Provisions, in Ireland, or any Country where they may be had cheapest, so that he has no Monopoly

upon him in these Articles.

7. He may buy Fish of any that sell cheap-

786 An Enquiry concerning the Restrictions of, so that he has no Monopoly upon him in that Article.

Woollen he can get from any Country; and if he can buy cloth for his own use at four Shillings a Vard, he will, provided he can sell his own at five; he branch of this Trade therefore has a Monopoly against the rest of the people.

get; no Country therefore has a Monopoly

against him in this Article. 1 1504.5112 Oliver

Tin-ware he can get; and so has no Monopoly against him in these Articles.

for his use where he will; so that no particu-

lar Port has a Monopoly against him. A nogs

12. He may Ship all Goods in the cheapest failing Ship, so that no Shipping has a Monopoly against him.

13. The Price of his goods is not raised by

heavy Customs on Oil and Soap.

It remains only to be Observed, that the importation of Provisions from Ireland would answer the same purpose immediately, that the cultivation of more Land would answer only in a long process of Time, if at all.

That this Trade would greatly encrease Navigation, as it would be wholly carried on

in English and Irish bottoms.

That it would carry into Ireland in return for Provisions, great quantities of English articles of Trade, as well Necessaries as Superfluities.

That it would prevent a Trade of the like kind to France, which enables her to support her West Inaia Islands and victual her Fleets and at the same time, brings into Ireland from France many Articles which England would otherwise furnish to her fifter Country.

And that it would prevent the Exportation of raw hides to France which come back to England manufactured into Leather, and of Tallow in great quantities, which is effentially necessary in Ship-building. Thefe Articles always going to France with Provisions, because intire freights of Provisions are seldom made up.

The Reffrictions upon the Trade of Ireland will appear from the following Extracts of British Statutes; and the arguments that have in this Effay been applied to the principal Articles, will be found equally con-

clusive with respect to the rest.

EXTRACTS of British STATUTES

No. 1. Stat. 8 Eliz. Cap. III. Sect. 1.

Ship any Rams, Sheep, or Lambs, alive, to be carried out of any of the Queen's Dominions, upon Pain that every such Person, their Abettors, &c. shall for their first Offence forfeit all their Goods, half to the Queen, and half to him that will suc.

Sect. 2. Every such Offender shall suffer Imprisonment one Year, and at the Year's End, shall, in some Market-Town, in the Fullness of the Market, have his lest Hand cut off, to be nailed up in the openest Place of such Market; and every Person, estsoons offending against this Statute, shall be ad-

judged a Felon.

No. 2. Stat. 13 and 14, Car. II. Cap. 18, Sect. 7. No Person shall press together with Screws, or other Engines, into any Sack, Pack, or other Wrapper, or shall put or pack any Wool, or Yarn of Wool, into any Hog-shead, or Chest, or other Cask or Vessel, or shall carry or lay near the Coasts of the Sea or any navigable River, or any Place near ad-

British Statutes relative to Woot. 789 joining, any Wool, Wool-Flocks, or Yarn of Wool, with Intention to export the same out of England, Ireland, Berwick, or Wales, into foreign Parts, under Penalty of Forfeiture of all fuch Wool, &c. or the Value thereof.

Sect. 8. No Tobacco-pipe Clay shall be exported out of England, Ireland, Berwick, or Wales, into foreign Parts, or into any Place out of the Kingdom, under the Penalty of

three Shillings for every Pound.

Sect. 9. No Packs, Sacks, Bags, or Cafks of any Wool, Wool-Fells, Mortlings, Shortlings, Yarn of Wool, Wool-Flocks, Fuller'searth, Fulling-clay, or Tobacco-pipe Clay, shall be loaden on any Horse or Carriage, nor conveyed by Land, within England or Ireland, but in the Day Time, and at feafonable Hours, viz. from the first of March to the twenty-ninth of September yearly, between four in the Morning and eight in the Evening; and from the twenty-ninth of September, to the first of March, between seven in the Morning and five in the Evening; under Penalty of Forfeiture of fuch Goods, or the Value shereof; half to the King, and half to him the will fue. age was landed, as alto t

790 British Statutes relative to Wool.

Sect. 10. This Act shall not make void any Clauses in 12 Car. II. cap. 32. or sprohibit the Loading on Board of any Ship any Weather-Sheep, Wool, Wool-flocks, or other Goods that by the aforesaid Act is permitted, for the Use or Provision of such Ship.

No. 3. Statute 7 and 8 W. HI. Cap. 28, Sect. 5. It shall be lawful for any Person, from the Places in the said Act similed, to import into England from Ireland any Quantities of Wool to the Ports hereafter mentioned, viz. Whitehaven, Liverpoole, Chester, Briffol, Bridgewater, Minehead, Barnstaple, and

Biddeford, and to no other.

Sect. 6. The Commissioners or Farmers of the Customs in Ireland shall once every fix Months transmit unto the Commissioners of Customs in England, an Account of all Wool exported from any of the Places in Ireland, from whence the same may be exported, the Quantity and Weight thereof, and by whom, and in what Ships, and where consigned, and the Names of the Persons signing the Certificates of the landing the same in England, and the Date of the Certificates, and where the same was landed, as also the Quantity contained in the Certificates.

No. 4. Statute o and 10, W. 3. Cap. 40, Sect 2. No Fuller's earth or fcouring Clay shall be exported out of this Kingdom, Wales, or Benwick, into Ireland, or any other foreign Parts, but the Exporters being convicted shall be liable to the Forfeitures of one Shilling, for every Pounds or harden as some alune M

No. 5. Statute to and II, W. III. Cap 10! Sect. R No Person shall export from Ireland into any Places other than the Parts within England and Wales, any Wool, Woolfells, Shortlings, Mortlings, Wool-flocks Worsted Bay or Woollen Yarn, Cloth, Serge, Bays, Kerfeys, Says, Prizes, Druggets, Cloth-Serges, Shalloons, or any other drapery Stuffs, or Woollen Manufacture, made up or mixed with Wool or Wool Flocks, or shall load upon any Horse or Carriage, or lay on Board any Ship, in any Place of Ireland, any fuch Wool, &c. to the Intent to export the fame, except as aforefaid me of an distribute and an bial as

Sect. 2. All Offenders as aforefaid shall be subject to the Penalties following, viz. the Wool, &r. shall be forfeited, and the Offenders hall forfeit 500/. and every Ship or Bottom wherein any of the faid Commodities shall be shipped, shall be forfeited; and the Fff

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792 British Statutes relative to Woot.

Masters and Mariners, or any Porters or other Persons, knowing such Offence, and assisting therein, shall forseit 401. of which one Moiety shall be to him that shall sue in any Court, in England or Ireland; and the other Moiety to the Encouragement of setting up the Linen Manusactures in Ireland, to be disposed of by the Court of Exchequer there.

Sect. 3. No Acquittal, nor any Suit, (unless the Offender be thereupon convicted) in Ireland, for any Offence provided against in this Act, shall be pleaded in bar or Delay of any

Suit or Profecution in England.

Sect. 4. It shall be lawful for any Person to seize and convey to his Majesty's next Warehouse, all such Wool, &c. as he shall discover to be laid on Board any Ship, or to be carried or laid on Shore hear the Sea, or any navigable River, to the Intent to be exported out of Ireland, contrary to this Act, or be laden upon any Horse or Carriage, to the Intent to be exported, contrary to the Intent hereof; and it shall be lawful for any Person to seize every such Ship wherein any of the said Commodities shall be shipped, contrary to this Act.

British Statutes relative to Woot. 793 Sect. 5. For every Ship which shall fail from Ireland, in order to export any of the Commodities aforelaid to this Kingdom, Bond shall be given by two known Inhabitants, of or near the Place, to the chief Officers of the Customs belonging to the Port in Ireland, in double the Value of the Goods, before the Ship shall be permitted to lade any of the Commodities aforefaid, with Condition, that if the Ship shall take on Board any of the faid Goods in Ireland, all the faid Goods shall be brought by the same Ship to some Port in England or Wales, and shall there unload the fame, and pay the Duties thereof, the Danger of the Seas excepted; and every Ship which shall lade any of the faid Goods untill such Bond be given, thall be forfeited as aforefaid.

Sect. 6. A Register shall be kept at the Custom-House in London, of all the said Goods imported from Ireland into any of the Ports either of this Kingdom or Wales, with the particular Qualities and Quantities thereof, the Masters and Owners Names, and to

whom configned.

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Sect. 7. All Cockets and Warrants for carrying the faid Goods from Ireland to any Port in this Kingdom, shall be written upon Paper,

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and not Parchment, and figned by three of the chief Officers of such Port; and all Certificates of landing the same shall be signed in like Manner; and all the Goods aforesaid, both at shipping and landing, shall be examined by the Surveyor, or Searcher, or Landwaiter attending the Shipping or Discharge; and the Quantities and Qualities, Marks and Numbers, shall be indorsed upon the Cocket, and upon the Warrant for landing the same, and also upon the Certificates given for discharging the Bonds taken in Ireland.

Sect. 8. The Commissioners of the Revenue, or Farmers of the Customs or Revenue, of Ireland, shall once every fix Months, or within thirty Days after the End thereof, transmit unto the Commissioners or Farmers of his Majesty's Customs in England, an Account of all fuch Goods exported from Ireland, the Qualities and Quantities thereof, and Duplicates of the Bonds taken for lading the fame, and by whom and in what Ships exported, and to what Port in England or Wales configned, and the Names of the Persons figning the Certificates of the landing the same, and the Date of the Certificates, and where the same was laden, and the Qualities and Quantities,

British Statutes relative to Wool. 795 Quantities, Marks and Numbers, contained in the Certificate.

Sect. 9. All such Certificates shall be written upon Paper, and not Parchment, and the Quantities and Qualities, Marks and Numbers, shall not be obliterated or interlined.

Sect. 10. All fuch Goods exported from Ireland into this Kingdom, or Wales, shall be shipped off at the Ports of Dublin, Waterford, Youghal, Kingfale, Cork, and Drogbeda, and from no other Port; nor shall be imported into any Parts of England or Wales, other than Biddiford, Barnstable, Minebead, Bridgwater, Bristol, Milford-Haven, Chester and Liverpoole.

Sect. 11. If any Commissioner or Farmer of the Revenue of Ireland, or Officer employed under them, shall suffer to be taken any Entry outward, or sign any Cocket, Warrant, or Sufferance, for the Shipping any such Goods, except as aforesaid, or shall willingly permit the same to be done, such Commissioner, &c. signing such Cocket, &c. or passing such Entry, or conniving thereat, or who shall neglect to perform all other Duties required by this Act, shall forfeit his Office, and 500/. to be recovered as aforesaid.

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Sect. 12.

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Sect. 12. Every Offence contrary to this Act may be enquired of, heard, and determined in the County where any such Goods shall be laden or put on Board, or in the County, either in England or Ireland, where such Offence, or where any of the Goods, or the Ship shall be feized or brought in, and the Trial shall be in such Manner as if the Offence had been done in the same County.

Sect. 13. If any Action shall be commenced against any Person, for what he shall do in Pursuance of this Act, such Person may file common Bail, or enter a common Appearance, and plead the general Issue not guilty, and if the Plaintiff become non-firit, &c. shall

recover treble Costs and Damages.

Sect. 14. It shall be lawful to import from the Ports of Dublin, Waterford, Youghall, Kingfale, Cork and Drogheda, any Wool, &c. into such Ports of this Kingdom as aforesaid, so as Notice be first given to the Commissioners of his Majesty's Customs in this Kingdom, or to the Customer or Collector in the Port to which the same is to be brought, of the Quantity, Quality, and Package, with the Marks and Numbers thereof, the Name of the Ship

British Statutes relative to Wool. 797. Ship and Master, and the Port into which they are to be imported, and so as bond be first entered into to the use of his Majesty, with one or more Sureties in treble the Value of the Goods, that the same shall (dangers of the Seas excepted) be landed accordingly, and so as a Licence be first taken under the hands of the Commissioners of the Customs, or from the Customer or Collector where such Bond is given for landing thereof, which Licence they are to grant without see.

Sect. 15. The penalties of the Bonds to be given in *Ireland* for any of the Commodities aforesaid to be brought into this Kingdom, shall not be granted over; and all such Grants

shall be void.

Sect. 16. The Commissioners for executing the Office of High Admiral, shall appoint two Ships of the fifth Rate, and two of the fixth Rate, and eight armed Sloops, constantly to cruise on the Coasts of England and Ireland, particularly between the North of Ireland and Scotland, with orders to seize all Ships which shall export Wool with intent to carry it into foreign Parts; and the Commissioners aforesaid shall send a List of such Ships and Sloops, and the Names of the

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Commanders, with Copies of their Instructions, to the Commissioners of the Customs in London, within ten Days after such Orders given.

Sect. 17. All Wool, Ships, or Boats, fo feized, shall be forfeited, and such Wool shall be lodged in the King's warehouse in such Port where it shall be seized, or into which it shall be brought, and being condemned, shall be exposed publickly to Sale after 21 Days notice, being given in writing at the Custom-house of the Port, and on the Royal Exchange of London, by inch of Candle, to the best Bidder; and all Ships that shall be Condemned as aforesaid, shall be exposed to Sale in like manner; and one fourth part of the Produce of the Wool, Ships, and Boats, shall be to the Commander, one other fourth Part to the Officers of the Ship that took the same, one other fourth part to the Mariners, to be equally divided by the Collectors of the Port, or such Persons as shall be authorised to pay the same; and the other fourth Part to his Majesty, after a deduction made out of the last fourth Part of all the charges of Prosecution.

Sect, 18. Every Commander of fuch Ship,

or Sloop, neglecting his Duty, or compounding for any Wool, Ship, or Boat, or conniving at the exportation of Wool, shall forfeit all Pay due, and fuffer fix Months imprisonment, and be incapable of ferving his Majesty in any Office in the Navy, of halonoth as each

Sect. 10. No Wool, &c. of the product or Manufacture of any of the English Plantations in America shall be laden on board any Ship in any of the English Plantations; as likewife no fuch Wool, &c. being of the Product or Manufacture of the English Plantations in America shall be laden upon any Horse or Carriage, to the intent to be exported or conveyed out of the faid Plantations to any other of the faid Plantations, or to any other place, upon the like penalties upon every Offender as are provided by this Act for the like offences in Ireland; and all Governors of the Plantations, as also all Officers in the Revenue there, are required to take care that this Act be put in execution.

Sect. 20. Persons who shall be guilty of any offence contrary to any Act of Parliament made for preventing the exportation of Wool, may be profecuted in any of his Majesty's courts at Westminster, and a Capias shall iffue

800 British Statutes relative to Wood

issue, the sirst Process, specifying the Sum of the Penalty; and such Persons shall give good Bail, by natural born Subjects or Denizens, to appear in the Court at the Return of such Writ, and shall likewise give Bail by such Persons as aforesaid in Court, to answer the Penalties in Case they be convict, or to yield their Bodies to Prison.

Justices of Ireland, are required to give Direction in Council, that this Act be given in Charge by the Judges at all the Assizes; which Judges are to take particular Accounts throughout their Circuits of the Execution of this Act, and at their Return to Dublin shall acquaint the Lord Lieutenant, or Lords Justices in Council, with all Informations they shall have received of any Breach of the Act, or Faults in the Officers; of which the said Chief-Governors shall once every Year lay an Account in Writing before the King in Council.

No. 6, Stat. 3, G. I. Cap. 21, Sect. 4.
The Moiety of all Penalties by 10 and 11
W. HI. Cap. 10, inflicted for preventing the
Exportation of Wool, and Woollen Goods,
out of Ireland, other than into England

gland or Wales) (after a Deduction made out of the faid Moiety of the Charges of Profecution) shall be to the Use of his Majesty.

Sect. c. All Actions and Informations which shall be profecuted by Virtue of any Act for preventing the Exportation of Wool, or woollen Manufactures from Ireland, shallbe tried in any of the four Courts at Dublin, by a Jury of Freeholders to be summoned out of any other County than that wherein the Fact was committed; and the first three who have been affifting in exporting Wool, or woollen Commodities, who shall inform any Justice of Peace thereof, whereby the Punishment may be inflicted (fuch Discoverer not being the Owner or Part-Owner thereof) shall not suffer any of the Punishment.

No. 7. Stat. 4, Geo. I. Cap. II. Sect. 6. If any Person shall be in Prison, for want of Bail, for unlawful Exportation of Wool, or Wool-Fells, and shall refuse to appear or plead to a Declaration or Information delivered to fuch Person, or to the Goaler or Turnkey, by the Space of one Term, Judgment shall be entered against him by Default; and in Case Judgment be obtained against any such Perion, and he thall not pay the Sum recovered with-

802 British Statutes relative to Wook.

within three Months after entering up of such Judgment, the Court shall by Order cause such Offender to be transported in the same Manner as Felons, for seven Years; and if such Offender shall return into Great-Britain or Ireland before the Expiration of the seven Years, he shall suffer as a Felon, without Benefit of Clergy.

No. 8. 5 Geo. I. Cap. II. Sect. 14. The like Provision made for preventing the Exportation of Wool in 1 William & Mary, Stat. I. Cap. 32, is directed to extend to Woolfels, Mortlings, Shortlings, Yarn of Wool, Woolflocks, Fuller's-earth, Fulling-clay, and Tobacco-pipe Clay, carried Coastwise.

Sect. 21. All such Wool, and other the Commodities mentioned in 10 and 11 William III. Cap. 10, which shall be carried or laid on Shore near the Sea, or any navigable River, to the Intent to be exported out of Ireland, contrary to that Act, shall be forfeited, and the Offender shall be liable to the same Penalties as Persons by that Act are subject to for exporting of Wool, &c.

Where any Ship, of the Burthen of fifty Tons, or under, laden with customable

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or prohibited Goods, shall be found at Anchor, or hovering on the Coasts of Ireland. within two Leagues of the Shore, and not prooceding on her Voyage, Wind and Weather permitting; any Officer of the Cuftoms of that Kingdom may go on Board fuch Ship and take Account of the Lading, and take Security from the Mafteb by his own Bond to the King, in treble the Value of Goods, with Condition that a (as foon las the Wind and Weathery and the State of fuch Ship doth permit) he shall proceed regularly on her Voyage, and land fuch Goods (except Wool licenced) at some foreign Port; and if such Mafter refuse to enter into such Bond, or shall not depart on fuch Voyage (unless fuffered to make a longer Stay by the Collector or other principal Officer in his Absence; not exceeding twenty Days) all the Goods on Board shall by any Officers of the Customs, by Direction of the Collector, &c. be taken out of the faid Ship, and brought on Shore, and fecured; and if the Goods are customable, the Duties shall be paid for the same; and as concerning Wool, or any prohibited Goods, or other Goods liable to Forfeiture, the same are declared subject to Forfeiture,

British Statutes relative to Wook

and the Officers of the Customs may profecate the fame, and also the Vessel, if she be liable to Condemnation. To a new and owners to

Sed. 63. After fuch Goods are fecured, fuch Bonds shall be void, and delivered up without Fee; and fuch Bond, not being otherwife discharged, shall, on proper Certificate, be returned under the common Seal of the chief Magistrate, in any Place beyond the Seas, or under the Hands and Seals of two known British or Irish Merchants upon the Place, that fisch Goods were there landed; or upon Proof by credible Persons, that the fame were taken by Enemies, or perished in the Sea, (the Examination and Proof thereof being left to the Judgment of the Commissioners of the Customs in Ireland) shall be vao other principal Officer in his Abfencebata

Sect. 64. The Sub-Commissioners, or Commissioners of Excise in Ireland, may hear and determine all Offences against any Clause in this, or any other Act in Force in Ireland, for preventing the unlawful Exportation of Wool, Wool-fells, Shortlings, Mortlings, Wool-flocks, Worsted, Bay, or Woollen Yarn, Cloth, Serge, Bays, Kerseys, Augusting I on the good Listalash our sen Sayes,

British Statutes relative to Wood. Bog Sayes, Frizes, Druggets, Cloth-Serges, Shaloons, or any other Drapery Stuffs, or Woolen Manufactures made in Ireland; which Commissioners, &c. may proceed in a summary Way, and give Judgment, and levy the Penalties, &c. in like Manner as they are enabled to proceed in Cases of Excise in Ireland, by any Acts now in Force.

Sect. 65. No Person shall be admitted to claim Property upon any Seizure made upon any Clause in any Act for preventing the unlawful Exportation of Wool from Ireland, till he has given Security to the Commissioners, &c. of the District, to answer the Penalties if such Seizure shall be adjudged good.

No 10. Stat. 5. Geo. 2. cap. 21. feet. 1. The Commissioners for executing the Office of Lord High Admiral of Great Britain shall appoint three Ships of the fixth Rate, and eight or more armed Sloops, constantly to cruize on the Coasts of Great Britain and Ireland, with orders for seizing all Vessels in which any Worsted, Bay, or Woollen Yarn, or any Draper's stuffs, or Woollen manufactures, made up or mixed with Wool or Woolflocks, shall be exported or laden from Ireland into foreign Parts; and the said Commissioners

missioners shall send a List of such Ships and Sloops, and the names of the Commanders, together with Copies of the Instructions to them given, within ten Days after the Date of the said Orders, to his Majesty's Commissioners of the Customs in Great Britain, and to the Commissioners of his Majesty's Revenue in Ireland.

Sect. 2. It shall be lawful for the Commander of every such Ship and Sloop, within the limits of the Station affigured in such Ship or Sloop, to enter and search any Vessel; and if any of the said prohibited Commodities he found therein, and the Master of such Vessel shall not immediately produce a Cocket, or Warrant, licencing the exportation thereof, to seize such Vessel, and to carry the same, with the crew and cargo, into any Port in Great Britain or Ireland.

Sect. 3. Every such Vessel, and all the said prohibited Commodities, found therein, shall be forfeited, and the said prohibited Commodities shall be lodged in the King's Warehouse, in such Port into which such Vessel shall be carried, untill it be condemned, and being condemned shall be exposed to Sale, after twenty one Days notice in Writing affixed

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fixed upon the Cuftom-house of the Port, by Inch of Candle, to the best Bidder; and every fuch Veffel shall after Condemnation be expofed to Sale in like Manner; and one fourth Part of the Produce of fuch Sale thall be to the Commander of the Ship that shall make fuch Seizure, one fourth to the other Officers of such Ship, one fourth to the Mariners, and the other fourth to his Majesty, after a Deduction made out of the last fourth Part for the Charges of Profecution; provided that if fuch Seizure be made upon the Information of any Person, such Informer shall not only be indemnified from the Forfeitures, but shall also receive one fifth Part of the Produce of fuch Sales, and the Refidue thereof shall be divided into four Parts, as before directed,

Sect. 4. If any Action shall be commenced against any Person for what he shall do in pursuance of this Act, such Person may plead the general Isfue; and if the Plaintiff shall become non-fuit, &c. the Defendant shall receive treble Costs.

Sect. 5. No Person shall be admitted to claim Property in any Seizure, till he shall have given Security by Recognizance before one of the Commissioners of the Revenue in Ireland,

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or one of Barons of the Exchequer in England, to answer the Penalties.

Sect. 7. This Act shall not make void any other Penalties inflicted by any former Law upon the Exportation of Wool and Woollen Manufactures.

No 11. Stat. 12, Geo. 2. cap. 21. Sect. 1. Whereas in the Book of Rates annexed to 12 Car 2. cap. 4. a Rate of 31. 6s. 8d. for every bundred Weight was fixed upon Woollen or Bay Yarn imported; according to which Rate a Subfidy of 12d. in the Pound, called the old Subfidy, was payable, and a farther Subfidy of 12d. in the Pound was granted to King George II. for Life, by I George II. Stat. 1. cap. 1. and by 2. Ann, cap. 9. another Subfidy was granted called the one third Subfidy; and by 3 and 4 Ann, cap. 5, another Subfidy was granted called the two thirds Subfidy; and whereas the taking off the Duties of Woollen and Bay Yarn imported from Ireland may prevent the exporting Wool and Woollen Manufactures from Ireland to foreign Parts, and may be of use to the Manufactures of Great Britain; be it enacted, that the faid feveral Subfidies payable upon Woollen

British Statutes relative to Woot. len or Bay Yarn imported from Ireland shall ceafe. To boggid a had smoton it suit other

Sect. 2. And that neither the King nor any other Person intitled to any share in the Monies arifing by the faid Duties may fuffer by the ceafing thereof, the Commissioners of the Treasury shall cause an Account to be made up of the faid Duties on Bay-Yarn and Woollen-Yarn for feven Years last past,

Sect. 3. And the Medium of the faid Duties shall be a certain annual Sum to be charged on the Aggregate Fund, and shall be applied to make good to his Majesty, and to the several public Creditors, having Interest or Security in the faid Duties, the like Proportions out of the faid annual Sum! vd barranto bar

Sect. 4. Nothing in this Act shall extend to take off the Duties upon Worked-Yarn, being of two or more Threads twifted or thrown, or Crewel imported into Great Britain from Greand Property of Hall of Accuracy 1508

Sect. 5. All Wool and Woollen or Bay Yarn, Woolfells, Shortlings, Mortlings, Woolflocks, Worsted, Yarn, Cloth, Serge, Bays, Kerleys, Sayes, Frizes, Druggets, Cloth-ferges, Shalloons, Stuffs, and other Draperies and Woollen Manufactures, or mixed with Wool

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Wool or Wool-flocks, exported from Ireland into this Kingdom, shall be shipped off at the Ports of Dublin, Waterford, Youghall, Kinsale, Cork, Drogbeda, New Ross, Newry, Wexford, Wicklow, Sligo, Limerick, Galway and Dundalk, and from no other Port; nor shall be imported into any Parts of Great Britain, other than Biddeford, Barnstaple, Minebead, Bridgewater, Bristol, Milford Haven, Chester, and Liverpool.

Sect. 6. No Wool or any of the Goods before mentioned shall be laid on Board any Ship in Ireland, or imported from thence into this Kingdom, but in Ships of the built of Great Britain or Ireland, and wholly owned and manned by the Subjects of this Kingdom or Ireland, and duly registered as herein after mentioned; under the Penalty of the Forfeiture of the said Goods, or the Value, as also of the Ship.

Sect. 7. No Ship shall be deemed a Ship of the built of Great Britain or Ireland, so as to be qualified to take on Board any Wool, Woollen, or Bay Yarn, or other the Species before-mentioned, to import the same into Great-Britain, until the Persons claiming Property in such Ship, register the same as follow-

British Statutes relative to Wool. 811 followeth; that is to say, Proof shall be made upon the Oath or Affirmation (if by a Quaker) of one or more of the Owners, before the Collector and Comptroller of the Customs, in such Port of Great Britain or Ireland to which such Ship belongs, in the Tenor sollowing, viz.

I A. B. do make Oath (or being a Quaker do solemnly affirm) that the Ship of is at present Master, being built, of Tons, was built at , in the Year , and that of and

and of , are at present Owners thereof; and that no Foreigner, directly or indirectly, hath any Share, Part, or Interest therein.

A Certificate of which Oath or Affirmation, attested by the Collector and Comptroller of the Customs, under their Hands and Seals, shall, after having been registred by them, be delivered to the Master of the Ship, a Duplicate of which Register shall be immediately transmitted to the Commissioners of the Customs at London, to be entered in the general Register, to be there kept.

Sect. 8. No Ship's Name registred shall be afterwards changed, without registring such Ggg3

Ship again (which is likewise to be done upon any transfer of Property to another Port) and delivering up the former Certificate to be cancelled, under the same Penalties, and in the like Method as before directed; and in Case of any Alteration of Property in the same Port, by the Sale of one or more Shares in any Ship, after registring thereof, such Sale shall be acknowledged by Indorsement on the Certificate of the Register, before two Witnesses, in order to prove that the entire Property remains to some of the Subjects of Great Britain or Ireland.

Sect. 9. No Coverlids, Waddings, or other pretended Manufactures made of Wool flightly put together, so as the same may be reduced to Wool again, or Mattrasses, or Beds stuffed with Wool, combed or sit for combing, shall be exported from Great-Britain of Ireland, to Parts beyond the Sea, under the like Penalties which are inflicted on Exporters of Wool.

Sect. 10. No Wool, Woolfells, Mortlings, Shortlings, Wool-flocks, Worsted, Bay, or Woolen Yarn, shall be packed up in Great-Britain or Ireland in any Package but in Packs and Trusses of Leather, or Canvas, called

British Statutes relative to Woot. 813

be marked on the Outside with the Words, Wool, or Yarn, in Letters not less than three Inches in Length, on Pain of forseiting all such Goods, with the Package, and 3 s. for every Pound Weight thereof, to be paid by the Owner or Packer.

Sect. 11. No Wool, Woolfells, Mortlings, Shortlings, combed Wool, Woollen, or Bay Yarn, Worsted yarn, Crewel, or Wool slightly manufactured, shall be put on Board any Ship bound to Parts beyond the Seas, laden in Order to be carried Coastwise, unless Notice be. first given to the Commissioners of the Cuftoms, or to the Customer, or Collector, or Comptroller of the Port from which the fame is intended to be fent, of the Quantity, Quality and Package, together with the Marks and Numbers thereof, with the Name of the Ship and Master, as likewise the Names of the Owners of the faid Goods, and the Place of their Abode, and the Port into which the fame are intended to be imported, and to whom configned; and unless Bond be first entered into, to the Uses of his Majesty, with one or more fufficient Securities, in treble the Value of the Goods fo intended to be

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\$14 British Statutes relative to Wood!

carried Coast-wife, that the same shall be landed accordingly; due Notice whereof shall be forthwith transmitted by the Cuftomer, or Collector, and Comptroller of the Port whence the fame are exported, to the Customer, or Solicitor and Comptroller of the Port into which the same is intended to be imported, and Entry made; and unless a Licence be also first taken under the Hands of the Commissioners of the Customs, or from the Customer, or Collector and Comptroller where such Bond is given, for the landing and carrying thereof, which Licence they are to grant without any Fee, or other Charge; and all fuch Bonds for the carrying fuch Goods Coast-wise in Great-Britain or Ireland, shall not be discharged, but by producing a Certificate under the Hand and Seal of the Cuftomer, or Collector and Comptroller of the Port in Great-Britain or Ireland, where such Goods were landed, fetting forth the Quantity, Quality, and Package, together with the Marks and Numbers, with the Name of the Ship and Master out of which such Goods were landed; and all such Bonds as remain undischarged after six Months, shall be transmitted to the Commissioners of the Customs in Great-Britain, or of the Revenue in Ireland.

land who are to put them in Suit immediately? And if any Wool, &c. be laden on Board any Ship, in Order to be carried Coast-wise, before all the Directions of this, and every other Act made to prevent the Transportation of any of the Goods aforefaid, be duly complied with, fo far as the same relate to the Exporter or Proprietor; or if any of the faid Goods be laden on Board any Ship bound to Parts beyond the Seas; then all fuch Goods, or their Value, shall be forfeited, together with the Ship, and francisco We as a well to he fixed the

Sect. 12. Nothing herein shall extend to alter any other Security required by Law for Goods carried coastwife, or to repeal any Law in Great-Britain or Ireland made to provent the Exportation of Wool, or any the Goods aforefaid.

Sect. 13. None of the faid Goods imported from Ireland, or coastwife within this Kingdom, or Ireland, shall be landed or shipped but in the Presence of the proper Officers. nor at any other Place than the lawful Quays fet out in the Manner prescribed by 13 and 14 Car. II. Cap. 11. for England Customs, and by the 6 Anne, Cap. 26, for Scotland Cuftoms, without Leave from the Commissioners and Officers of the Customs, or at such

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Quays in Ireland as shall be appointed, on Pain of forfeiting the said Goods, or the Value thereof, and 3 s. for every Pound Weight of such Goods, to be paid by the Owner, or any Person concerned in such unlawful Shipping or Landing.

Sect. 14. And to prevent any fraudulent Practices, whereby may be evaded any of the Penalties inflicted to prevent the transporting out of this Kingdom of any Wool, Woolfells, Wool-flocks, Mortlings, Shortlings, Worsted, Bay, or Woollen-Yarn, Fullers-Earth, Fulling-clay, Tobacco-pipe Clay, or any other scouring Clay or Earth, or to prewent the illegal transporting out of Ireland, of any of the faid Goods, or of Cloth, Serge, Bayes, Kerleys, Sayes, Frizes, Druggets, Cloth Serges, Shaloons, or any other Drapery Stuffs or Woollen Manufactures, made up or mixed with Wool or Wool-flocks; it shall not be lawful for any Person, other than the Officers of the Customs, or Excise, or Salt Duties, to enter any Information of Seizure of any

Wool, Woolfells, or other Goods before enumerated, as aforefaid; nor shall it be lawful for any Person to enter any Information for the Recovery of any Penalty aforesaid, unless

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British Statutes relative to Wool. 817
such Information be filed in the Name of his Majesty's Attorney-General, or of some Officer of the Customs, Excise, or Salt-Duties in Great-Britain or Ireland; and if any Information of Seizure of any of the Goods before mentioned, be made by any Person other than in the Name of the Attorney-General, or of some Officer of his Majesty's Revenue, as aforesaid, the same, and all the Proceedings thereupon, are hereby declared to be void.

Sect. 15. Nothing in this Act shall take away the Power given to the Commanders and Officers of his Majesty's Ships of War, or the armed Sloops appointed by the Admiralty to guard against the Transportation of Wool, pursuant to 10 and 11 Will. III. Cap. 10. [Par. LXXXIV.] and 5 George II. Cap. 21. [Par. CXXI.] or by any other Act.

Sect. 16. If any Officer of the Revenue make any collusive Seizure, or Information of any of the said Goods, or any fraudulent Agreement, whereby the owner may avoid the Penalties incurred by this or any other Act, he shall, for such Offence, for seit 2001, and be rendered incapable of serving in any Office in the Revenue; and Exporters, Importers, and Owners of the Goods so collusively seized, thall

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shall forseit treble the Value thereof; and all such Penalties shall be to the Use of him who shall inform and sue for the same in any Court of Record at Westminster, or in the Court of Exchequer in Scotland, or in any Court of Record at Dublin.

Sect. 17. Any Person concerned in such fraudulent Seizure or Agreement, who sirst discovers his Offence to the Commissioners of the Customs in England or Scotland, or of the Revenue in Ireland, shall be discharged thereof, provided he makes such Discovery within three Months after the Offence committed, and so as any of his Accomplices be convicted; and if such Discoverer be not an Officer of the Revenue, or Owner of the Goods, he shall receive to his own Use the whole Money recovered on the Conviction of such Offender, the Charges of Prosecution sirst deducted.

Sect. 18. All Suits and Informations upon this or any other Acts for preventing the Exportation of Wool, Wool-fells, Wool-flocks, Mortlings, Shortlings, Worked, Bays, or Woollen Yarn, Crewels, or Wool slightly manufactured, or Mattrasses, or Beds stuffed with Wool, combed or fit for combing, Ful-

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ler's-earth, Fulling-clay, Tobacco-pipe Clay, or any other scouring Earth or Clay from Great Britain or Ireland; or for preventing the Exportation from Ireland into foreign Parts, of Cloth, Serges, Bays, Kerfeys, Frizes, Druggets, Shaloons, Stuffs, Cloth-ferges, or any other Drapery made of, or mixed with Wool manufactured in Ireland, may be entered and prosecuted, (except where it is in this Act otherwise directed) in any Court of Record at Westminster, or in the Court of Exchequer in Scotland, or at the Quarter Seffions of the Peace, or before any two Justices of Peace, in a fummary Way, at the Election of the Seizer or Informer, or by any Law relating to the Revenue of Ireland in that Kingdom; and if the Property thereof be claimed by any Person, the onus probandi shall lie up-

Sect. 19. All the Penalties before-mentioned, except where otherwise directed, shall be to the Use of such Person as shall seize, inform, or sue for the same.

Sect. 20. On the Condemnation of any Wool, or other Goods before enumerated, the faid Commissioners shall cause such Goods to be fold to the best Bidder, at such Places as they

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they think proper, and out of the Produce shall cause to be paid all Charges of Condemnation and Sale, and the Remainder to such Person who shall seize, inform, or sue.

Sect. 21. In case any Officer of the Customs, Excise, or Salt Duty, receive any Information from any other Person, whereby any Seizure is made, or any Prosecution carried on to effect; such Person shall have one Half of what is recovered by such Officer, as a Reward for his Information.

Sect. 22. If any Offender becomes liable to the Penalty of 3s. per Pound Weight, and be not of sufficient Ability to pay the same, by which Means the Informer will lose the Benefit of his Information, then it shall be lawful for the respective Commissioners to cause 1s. per Pound Weight for all such Goods for which such Offender is convicted, to be paid by the Receiver-General of the Revenue, under their Management, out of any publick Money in his Hands; and the Money so paid by any Receiver-General shall be allowed in his Accounts.

Sect. 23. If the Master of any Ship employed in the clandestine exporting from Great Britain or Ireland, any Wool, or other Goods

British Statutes relative to Wook. Goods before enumerated, or in the clandeftine importing from Ireland any Woollen Manufacture made in Ireland; or if the Mate or any of the Mariners give an Account in fix Months after fuch shipping or exporting the Goods before mentioned, to the Commissioners of the Customs in England or Scotland, or of the Revenues in Ireland, of the Name of the Ship, and the Species and Quantities of fuch Goods, together with the Names of the Owners, Exporters, or Persons who act in their Aid, fo as they may be convicted; such Master, Mate, or Mariner shall not only be indemnified, but shall be discharged from any Penalties he is by Law Subject to for his Offence, and shall also have threefourth Parts of the Penalties, clear of Charges, that shall be recovered by means of his Discovery, which the respective Commissioners are to cause to be distributed in such a Manner as they think proper, and the other fourth Part to his Majesty, after deducting the Charges of Profecution.

Sect. 24. Every Person, who, by Deputation, commission, or other Instrument, under the Hands and Seals of the Commissioners of the Customs, Excise, or Salt in Great Britain

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or Ireland, are appointed to act under them, for putting this, or any of the Acts relating to those Revenues, or made against Transportatation of Wool, in Execution, shall be esteemed an Officer of the Customs, Excise, or Salt, to all Intents.

Sect. 25. If any Person offer to give any Bribe to any Officer of the Customs, Excise, or Salt, in Great Britain or Ireland, to connive at the Transportation or Concealment of any Wool, Wool-flocks, Wool-fells, Mortlings, Shortlings, Yarn made of Wool, Crewels, or Wool flightly manufactured, or Mattraffes, or Beds staffed with combed Wool, or Wool fit for combing, Fuller's-earth, Fullers-clay, and Tobacco-pipe-clay, or any other fcouring earth or clay; or to the removing thereof, contrary to this or any other Act; or to do any other Act, whereby the Provisions made by this or any other Law may be evaded; every such Person shall, for every such Offence, forfeit three hundred Pounds to be recovered and applied to the use of him who shall inform or fue for the same in any Court of Record at Westminster, or in the Court of Exchequer in Scotland, or in any Court of Record at Dublin.

Sect. 26. If any Officer of the Customs, Excise or Salt, or other Person acting in Aid of fuch Officer, in putting this Act in Execution, be opposed, wounded or beaten, in seizing any Wool, or other Goods before enumerated, the Person that so opposes, wounds or beats any fuch Officer, or any other Person, being armed with offensive arms, or wearing any Mask or Disguise who attempts to rescue any Wool. or other the Goods aforesaid, seized by any fuch Officer, being convicted, shall, by Order of the Court, before whom convicted, be transported to the Plantations in America, for any Term not exceeding feven Years, in the fame Manner as by 4. Geo. I. cap. 11. and 6. Geo. L. cap. 23, and if such Offender return into Great Britain or Ireland, before the Expiration of the Time for which such Person is transported, he shall suffer as a Felon without benefit of Clergy.

Sect. 27. The 4 Geo. 2. cap. 11. fect. 6. (Par XCII.) fo far as the same concerns the Exporters of Wool, or Wool-fells, shall extend to all Aiders or Abbettors to fuch Exporters.

Sect. 28. All Bonds taken pursuant to this Act, shall not be chargeable with the Duties Hhe of the Informer, upon Stampt-paper.

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Sect. 29. Whereas the Exportation of Wool, Wool-fells, Wool-flocks, Mortlings. Shortlings, Crewels, Worfted, Woollen and Bay Yarn, Mattraffes, and Beds stuffed with combed Wool, or Wool fit for combing, from Great Britain or Ireland, and of Woollen Manufacture from Ireland, hath been promoted by Persons undertaking as Inforers that fuch Goods shall be delivered in Parts beyond the Seas; be it enacted, that all Perfons, who by Insurance or otherwise, undertake that any of the Goods before mentioned, shall be con Weyed to any Parts beyond the Seas, from any Port within this Kingdom or Ireland, or in Pursuance of fuch Insurance or Agreement, deliver or cause to be delivered, any of the Taid Goods in any Parts beyond the Seas, fuch Persons, and all their Affistants, shall for every Offence forfeit five hundred Pounds to the Use of the Informer, over and above all other Penalties.

Sect. 30. And all Persons who pay, or agree to pay, any Money for the insuring, or exporting out of this Kingdom or Ireland, any of the Goods aforesaid, shall for every such Offence, forfeit five hundred Pounds for the Use of the Informer.

Sect. 31.

Sect. 31. In Case the Insurer, Conveyer, or Manager of fuch Fraud, or the Person agreeing to insure, convey, or manage therein, within fix Months after, first give Notice thereof to the Commissioners of the Customs in England or Scotland, or of the Revenue in Ireland, fo as the Persons concerned with him be convicted, he shall not only be discharged of such Offence, and from the Penalties to which he is liable, but that also have the whole Forfeiture imposed on the Parties taking such Infurance, after the Charges of Profecution are deducted, and shall retain to his own Use the Insurance Money given him; and in case the Party infured, within fix Months, first make Discovery thereof to the said Commissioners respectively, so as the Persons concerned with him in fuch Offence be convicted, he thall receive back fuch Premium as he hath paid upon fuch Infurance; and in Case the Premium be not actually paid, then the Person so discovering is indemnified from paying the fame, and every Agreement entered into for paying fuch Monies, is hereby declared to be void; and fuch Person so first discovering shall also have to his own Use the whole Forfeiture imposed upon such Insurer, Conveyer, Hhh2

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or Manager, after Charges of Prosecution are deducted, and shall also be discharged of the Forseiture hereby imposed upon him.

Sect. 32. All the said Penalties and Forfeitures incurred by Persons concerned in illegal Insurances, shall be sued for in any Court of Record at Westminster, or in the Court of Exchequer in Scotland or Ireland, by Action of Debt, &c. in the Name of his Majesty's Attorney-General, or in the Name of any Officer of the Customs, Excise, or Salt-Duties.

Sect. 33. And whereas it is generally unknown to the Infurers what Sorts of Goods are loaded on Board any Ship, be it enacted, that all Policies of Infurance made on Goods on any Ship bound from Great Britain or Ireland, to foreign Parts, which afterwards appear to be Wool, or Woollen Yarn, or any other Species of Wool before-mentioned, or Woollen Manufactures from Ireland; and all Policies of Insurance on any Ships bound from Great Britain or Ireland to foreign Parts, which have on Board any Wool, or Woollen Yarn, or any other Species of Wool before-mentioned, or Woollen Manufactures from Ireland, shall be void, not with standing any Words inferted in fuch Policy; and Nothing shall

shall be recovered by the affured in either Case from the Insurer, for Loss or for the Premium.

Sect. 34. If any Suit be commenced for any thing done in Pursuance of this Act, the Defendant may plead the general Issue; and if the Plaintiff be non-suited, &c. the Defendant shall recover treble Cofts.

Restrictions upon Hops.

No. 12, Stat. 9 Anne, Cap. 12, Sect. 27. None of the Duties upon Hops (except of Growth) shall be drawn back upon Exportation for Ireland; and no Person shall import into Ireland from Flanders, or any other Parts, (other than Great Britain) any Hops, upon Pain of forfeiting the Hops so imported, or the Value of the same, and also the Ship, two-third Parts thereof to the Poor of the Parish in Ireland where such Hops shall be feized or discovered, and the other third Part to fuch Person as will seize or sue for the same in any of her Majesty's Courts of Record at Dublin; and the Importation of foreign Hops into Ireland (other than from Great-Britain) shall be adjudged a common Nuifance.

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No. 13, Stat. I. George I. Cap. 12, Sect. 6. The Master of every Ship carrying Hops to Ireland, shall take from the Collector or Comptroller of the Port in Great-Britain where he shall lade any Hops, a Duplicate of his Content of all the Hops laden on Board his Ship, before he be permitted to fail, under the Hand and Seal of fuch Collector, &c. who shall deliver it without Fee; which Duplicate the faid Master shall deliver on Oath to the Officer of the Customs in Ireland, before he be permitted to land any Hops; and in case any Hops shall be landed in Ireland before such Duplicate be produced, all fuch Hops, and 10s. for every Pound Weight shall be forfeited, one Moiety to the King, the other to the Profecutor, to be recovered by Action, &c. in any of his Majesty's Courts in Dublin.

No. 14, Stat. 5, Geo. II. Cap. 9. The Act 9 Anne, Cap. 12, and 1 Geo. I. Stat. II. Cap. 12, which prohibit the Importation of Hops into Ireland from Flanders, or other Parts (other than from Great-Britain) shall be in Force as if the Act 4 Geo. II. Cap. 15, had never been made.

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Restrictions relative to Articles of Trade from

No. 15, Stat. 7, Geo. I. Cap. 21, Sect. 9. No Commodity of the Product or Manufacture of the Baft-Indies shall be imported into Ireland, the Islands of Jersey, Guernsey, Alderney, Sark or Man, or to any of the Plantations in Africa or America, belonging to the Crown of Great-Britain, but fuch only as be shipped in Great-Britain, in Ships navigated according to Law, on Penalty of forfeiting all such Goods, or the Value thereof, together with the Ship, &c. and fuch Ship and Goods may be feized and profecuted in any Courts of Record in Westminster or Dublin, or in any Courts in fuch Islands, &c. where the Offence shall be committed, or in the royal Courts of Jersey or Guernsey, by Bill, Plaint, &c. one Moiety of the Forfeiture to his Majesty, the other to the Prosecutor, except fuch Offence be committed in any of the Plantations in Africa or America, in which case one-third of the Forseiture shall be to the King, one other third to the Governor of the Place, and the other third to the Informer; and if any Officer of the Customs in Ireland, or in the said Islands, &c. shalt Hhh4 COR- Commodities, or if any such Offender shall feize any of the said Commodities, and by Fraud or Collusion desist or delay the Profecution to Condemnation, he shall forseit 500, to be recovered in Manner aforesaid; one Moiety to his Majesty, the other to the Prosecutor; and such Officer shall be incapable of holding any Employment under his Majesty.

No. 16, Stat. 12, Car. II. Cap. 18, Sect. 18. No Sugars, Tobacco, Cotton-Wool, Indicoes, Ginger, Fustick, or other dying Wood, of the Production of any English Plantations in America, Asia or Africa, shall be carried from any the said English Plantations to any Place whatsoever, other than to such English Plantations as belong to his Majesty, or to England, Ireland, Wales, or Berwick, there to be laid on Shore, under the Penalty of Forseiture of the Goods, or the Value thereof, as also of the Ship with her Tackle, the one Moiety to the King, and the other Moiety to him that shall seize or sue for the same in any Court of Record.

Sect. 19. For every Ship which shall fet out from England, Ireland, Wales, or Benwick,

wick, for any English Plantation in America, Afia, or Africa, Bond shall be given with one Surety to the chief Officers of the Cuftom House of fuch Port from whence the Ship shall fet Sail, to the Value of 1000% if the Ship be of less Burthen than one hundred Tons, and of 2000l. if the Ship be of greater Burthen, that in case the Ship shall load any of the faid Commodities at the English Plantations, the same shall be, by the said Ship, brought to fome Port of England, Ireland, Wales, or Berwick, and shall unload the same (Danger of the Seas excepted) and for all Ships coming from any other Place to any of the Plantations, the Governor of fuch Plantation shall, before the Ship be permitted to load any of the faid Commodities, take Bond to the Value aforesaid, that such Ship shall carry all the aforefaid Goods to fome other of his Majesty's English Plantations, or to England, Ireland, Wales or Berwick; and every Ship that shall take on Board any of the aforefaid Goods, until fuch Bond given to the Governor, or Certificate produced from the Officers of any Custom-House of England, Ireland, Wales, or Berwick, that fuch Bonds have been there given, shall be forfeited, with

all her Tackle, to be employed and recovered as aforefaid: And the faid Governor shall twice every Year return Copies of all fuch Bonds to the chief Officers of the Customs in London, confirmed by the 13th Car. II chap.

14.

No. 17. Stat. 15, Cor. U. cap. 7, Sect. 6. No Commodity of the Production of Europe shall be imported into any Plantation or Place which shall belong to his Majesty in Asia, Africa, or America, but what shall be shipped in England, Wales, or Berwick, and in English built shipping, and whereof the Master, and three-fourths of the Mariners are English, and which shall be carried directly thence to the faid Plantations; under the Penalty of the Loss of all such Commodities imported from any other Place, and if by Water, of the Ship also with her Tackle; one third to his Majesty, one third to the Governor of such Plantation, if the Ship be there seized or informed against; or otherwife, that third also to his Majesty, and the other third Part to him who shall feize or fue for the fame, in any of his Majesty's Courts, in fuch Plantations where the Offence was

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Trade from the East and West Indies. 833 committed, or in any Court of Record in En-

gland.

Sect. 7. Provided that it shall be lawful to lade in Ships, navigated as in the foregoing Clause, in any Part of Europe, Salt for the Fisheries of New-England and Newsoundland, and to ship in the Madeiras Wines of the Growth thereof; and to ship in the Western Islands, or Azores, Wines of the Growth of the said Islands; and to take in Servants or Horses in Ireland; and to ship in Ireland Victual of the Production of Ireland, and the same to transport into any of the said Plantations.

No. 18, Stat. 22 and 23, Car. II. cap. 26. Sect. 11. The Word Ireland shall be left out of all Bonds taken for any Ship which shall set sail for England, Ireland, Wales, or Berwick, for any English Plantation in America, Asia, or Africa; and in case the Ship shall load any of the said Commodities at the said English Plantations, the said Commodities shall be by the said Ship brought to some Port of England, Wales, or Berwick, and shall there unload the same (Danger of the Seas excepted) and in like Manner for all Ships coming from

statione fault once a Year make a Ketu

any other Port to the faid Plantations, the Governor of fuch Plantations shall, before the Ship be permitted to load any of the faid Commodities, take Bond in Manner directed in the Act 12 Car. II. Cap. 18, for the encouraging of Navigation, that fuch Ship shall carry all the faid Goods to some other of his Majesty's English Plantations, or to England; Wales, or Berwick; and every fuch Ship which shall load any of the faid Commodities until fuch Bond be given, or Certificate produced from the Officers of some Custom-house of England, Wales, or Berwick, that such Bond hath been there given, or which, contrary to the Tenor of such Bond, shall carry the faid Goods to any other Place than to other English Plantations, or to England, Wales, or Berwick, and there lay the same on Shore, every fuch Ship shall be forfeited, with her Tackle and Lading, one Moiety to the King, and the other Moiety to him that shall feize or fue for the same in any of the Plantations, in the Court of High-Admiral of England, or of any of his Vice-Admirals, or in any Court of Record in England.

Sect. 12. The Governors of his Majesty's Plantations shall once a Year make a Return

to his Majesty's Officers of his Customs in the Port of London, or to such other Persons as his Majesty shall appoint, a List of all such Ships as shall lade any of the said Commodities in such Plantations, as also a List of the Bonds taken by them; and in case any Ship belonging to his Majesty's Plantations, which shall have on Board any Sugars, Tobacco, Cotton-Wool, Indicos, Ginger, Fustick, or other dying Wood, shall be found to have unladed in any Place of Europe other than England, Wales, or Berwick, such Ship shall be forfeited, with her Tackle and Lading, as aforesaid.

Sect. 13. It shall be lawful for any Person to prosecute such Ship in any Court of Admiralty in England, the one Moiety of the Forseiture to be to his Majesty, and the other Moiety to such Prosecutor.

Continued with the Statute of Tonnage and Poundage, 12 Car. II. Cap. 4, (which is perpetual) by 5 George I. cap. 11.

No. 19, Stat. 7 and 8, W. III. cap. 22, Sect. 2. No Goods shall be imported into, or exported out of any Plantation to his Majesty in Asia, Africa, or America, belonging, or shall be carried from any one Port in the Plantations.

Plantations, to any other Port in the fame. the Kingdom of England, Wales, or Berwick, in any Ship but what shall be of the built of England, or of Ireland, or the Plantations. and wholly owned by the People thereof, and navigated with the Master, and three-fourths of the Mariners of the faid Places (except Ships taken Prize, and Condemnation thereof made in the Courts of Admiralty in England, Ireland, or the Plantations, to be navigated by the Master and three-fourths of the Maviners English, or of the Plantations, and whereof the Property doth belong to Englishmen) under Pain of Forfeiture of Ship and Goods, one third to his Majesty, one third to the Governor of the Plantations, and the other third to the Person who shall sue for the same in any of his Majesty's Courts at Westminster, or in any Court of his Majesty's Plantations where fuch Offence shall be committed.

Sect. 2. Merchandizes may be exported or imported to and from this Kingdom, and Places aforefaid, in any Ship taken as Prize, and whereof Condemnation thall be made in one of the Courts of Admiralty aforefaid, and shall be navigated by the Master and threeaffined be carried hour day out lort in

Plantanians,

Trade from the East and West-Indies. 837 fourths of the Mariners English, and whereof the Property shall belong to Englishmen.

Sect. 4. All Governors of the Plantations, before their Entrance into their Government, shall take an Oath to do their Utmost that all the Clauses contained in the Acts of Parliament in Force relating to the Plantations, and in this Act, be observed, which Oath shall be taken before such Persons as shall be appointed by his Majesty; and upon Complaint and Proof made before his Majesty, or such as shall be by him appointed, by the Oath of two Witnesses, that any the Governors have neglected to take the said Oath, or having been willingly negligent in doing their Duty, the Governor so neglecting shall be removed from his Government, and forsest roocs.

Sect. 5. The two Naval Officers appointed by the Governors of the Plantations, by Virtue of 15 Car. II. cap. 7, shall, within two Months, or as soon as conveniently may be, after their Entrance upon the Office, give Security to the Commissioners of the Customs for his Majesty's Use, for their true and faithful Performance of their Duty, and in Default thereof, the Persons neglecting shall be disabled to execute the said Office, and until such

fuch Security given, and the Person to the faid Office be approved by the Commissioners of the Customs, the Governor shall be answerable for any Neglects or Missemeanors of the Person by him appointed.

Sect. 6. All Ships coming into, or going out of any of the Plantations, and lading or unlading any Goods, whether the same be his Majesty's Ships of War, or Merchant's Ships, and the Commanders thereof shall be liable to the same Rules, Visitations and Forfeitures as to the entring, lading or discharging their Ships, as Ships are liable to in this Kingdom by 13 and 14 Car. II. cap. 11, for preventing Frauds in his Majesty's Customs; and the Officers for collecting his Majesty's Revenue, and inspecting the Plantation Trade, in the Plantations shall have the same Powers for fearching of Ships, and taking their Entries, and for feizing Goods prohibited, or for which any Duties are payable, as are provided for the Officers of the Customs in England by the faid Act, and also to enter Houses or Warehouses, to search for and seize such Goods; and all the Wharfingers, Lightermen, or other Persons affisting in the Concealment or Rescue of the said Goods, or in the hindering dou't

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Trade from the Bast and West-Indies. 839 dring the Officers in the performance of their Duty, and the Vessels employed in the conveyance of fuch Goods shall be subject to the like Penalties, as are provided by the same Act in relation to prohibited or uncustomed Goods in this Kingdom; and the like Assistance shall be given to the Officers, as by the faid Act is provided for the Officers in England; and the Officers shall be subject to the same Penalties for any Frauds or Concealments, as Officers of the Customs in England; and in cale any Officer in the Plantations shall be fued for any thing done in the execution of his Office, he may plead the General Issue, and have the like priviledges as are allowed by Law to the Officers of Customs in England.

Sect. 7. The Penalties before mentioned, not in this Act particularly disposed of, shall be one third to his Majesty, one third to the Governor of the Plantation where the Offence shall be committed, and the other third to such Person as shall sue for the same, to be recovered in any of his Majesty's Courts at Westminster, or in Ireland, in the Court of Admiralty in his Majesty's Plantations, or in any other Plantation belonging to any subject of England; and where any question shall

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arise

arise concerning the Importation or Exportation of any Goods into or out of the said Plantations, the Proof shall lie upon the Owner, and the Claimer shall be reputed the Importer or Owner.

Sect. 8. Notwithstanding the payment of the Duties granted by 25 Car. II. cap. 7. in any of the Plantations, none of the Goods mentioned in the Act shall be shipt until Security be given, as is required by the said Acts, to carry the same to England, Wales, or Berwick, or to some other of his Majesty's Plantations, and so toties quoties as often as any of the said Goods shall be brought to be reshipt under forseiture of Ship and Goods, to be divided as aforesaid.

Sect. 13. In all Bonds to be taken in the Plantations by 22 and 23 Car. II. cap. 26. the furcties shall be Persons of known Residence and Ability in the Plantations, and the condition of the Bonds shall be, within eighteen Months after the Date (the danger of the Seas excepted) to produce Certificate of having landed the Goods in one of his Majesty's Plantations, or in England, Wales, or Berwick, otherwise such Bond or Copies thereof attested under the Hand and Seal of the Governor.

Trade from the East and West Indies. 841

be in Force, and allowed of in any Court of England, Ireland, or the Plantations, as if the Original were produced to allowed and allowed or the Plantations, as if the

Sect. It is that not be lawful to put on Shore in Ireland any Goods of the produce of his Majesty's Plantations, unless the same have been first landed in England, Wales, on Berwick, and paid the Duties, under penalty of forseiture of the Ship and Goods, three fourths without Composition to his Majesty, and the other fourth to him that shall sue for the same

fress of Weather be Stranded, or by reason of Leakiness or other Disability shall be daily ten into any Port in Ireland, and not able to proceed on her Voyage, the said Goods may be put on Shore, but shall be delivered into the Custody of the Collector or chief Officer of the Customs, untill the said Goods shall at the charge of the Owner thereof be put on board some other Ship, to be carried to some other Port in England, Wales, or Berwick, the Officer taking Security for the delivery of the same according to this Act.

et of with the still whith the same

No. 20, Stat. 4. Geo. II. cap. 15. Scot. 1. It shall be lawful to import into Ireland from his Majesty's Plantations in America, all Goods of the Growth or Manufacture of his Majefty's Plantations (except Sugars, Tobacco, Cotton, Wool, Indigo, Ginger, Specklewood, or Jamaica-wood, Fustick, or other Dying-wood, Rice, Melasses, Beaver-skins, and other Furs, Copper Ore, Pitch, Tar, Turpentine, Malts, Yards, and Bow-sprits) the Act of 7 and 8 of William III. cap. 22. ieffy and the other fourth tognibashdiwtod

Sect. 2. Provided that the Goods be imported in British Shipping, whereof the Mafter and three-fourths of the Mariners are Of Leaking's or other Diability that Iditing

o No. 21. Stat. 6. Geo. II. cap. 13. Sect. 4. No Sugars, Paneles, Syrrups, or Molasses, of the Growth of America, nor any Rum or Spirits of America, except of the Growth of his Majesty's Sugar Colonies, shall be imported into Ireland, but fuch only as shall be shipped in Great Britain in Ships navigated according to Law, under the Penalty of Forfeiting all Sugar, Paneles, Syrrups, or Molasses, Rum, or Spirits, or the Value thereof, ogether with the Ship in which the fame thall.

Trade from the East and West-Indies. 843
shall be imported; and such Commodities, with the Ship, may be seized by the Lord Lieutenant or Lords Justices, or by Warrant of any other Magistrate, or by any Custom-House or Excise Officer; and all Offences against this Act may be prosecuted in any of this Majesty's Courts of Record at Westminster, or in Dublin; and the Forseitures recovered shall be divided, viz. one Moiety to his Majesty, and the other Moiety to the Informer.

Sect. 5. If any Person shall affish in landing such Sugar, Paneles, Syrrups, or Molasses, Rum, or Spirits, in Ireland, or any of his Majesty's Plantations in America, or shall receive into his House or Custody any such Commodities, knowing the same to be imported contrary to this Act, such Person shall forseit treble the Value of such Goods.

Sect. 6. If any Person shall hinder any Custom-House, Impost, or Excise Officer, in the Execution of their Duty in seizing the Commodities afore mentioned, he shall Forseit fifty Pounds, and shall also be liable to be prosecuted by Indicement or otherwise, and shall be imprisoned three Months; and if any Officer, or their Assistants, shall be sued for any thing done in Execution of this Act, they

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may plead the general Issue; and if any Officer of the Customs or Excise in Iteland, or in the Plantations, shall counive at the Importation of the Commodities aforementioned, or shall seize any of the said Commodities, and by Fraud delay the Prosecution, he shall forseit 50% and be incapable of holding Office under his Majesty.

Sect. y. If any Master of any Ship shall take in any Sugar, Sc. to be imported into Ireland, or any of his Majesty's Plantations, contrary to this Act, such Master shall forfeit 100!

Restrictions relative to Provisions.

No. 22. Stat. 18. Charles H. Chap. 2. Importation of Cattle, dead or alive, declared to be a common Nuisance, and if any great Cattle, Sheep or Swine, or any Beef, Pork, or Bacon, shall be imported or brought from beyond Sea, except for the necessary Provision of the Vessels in which it shall be brought, not exposing it to Sale, any Constable, Tything man, Headborough, Churchwardens or Overseers of the Poor, may seize and keep the same forty-eight Hours, within which Times if it be made appear to some Justice of the Peace

Trade from the East and West Indies. 845
Peace of the County, by Oaths of two Witnesses, that it was not imported contrary to this Act, it shall be delivered him upon such Justice's Warrant, else shall be forfeited, one Half to the Poor of the Parish where seized, the other Half to him that shall seize.

If any Ling, Herring, Cod, or Pilchard, fresh or salted, dried or bloated, or any Salmon-eels, or Congers, taken by Foreigners, be imported, or exposed to Sale, any Person may seize them, the one Half to be disposed to the Use of the Poor of the Parish where seized, the other to his own Use.

Cattle may be imported from the Isle of Man, not exceeding 600 Head yearly, and provided they be of the Breed of that Island, and landed at the Port of Chester, or Members thereof.

This Act to continue for seven Years, and from thence to the End of the first Session of the next Parliament.

No. 23. Stat. 32. Cha. II. Chap. 2. The Act made 18 Charles II. entitled, An Act against importing Cattle from Ireland, and other Parts beyond the Seas, and Fish taken from Foreigners, is revived, and Power given not only to Constables and Officers, but to I i i 4

846 Restrictions relative to Provisions.

every Person whatsoever, to take and seize the Cattle and Goods imported contrary to the said Act and that such Seizer shall have the

Benefit given by this Act.

And to prevent fraudulent Seizures, Sales, and Compositions, the Seizers shall, within fix Days after Conviction and Forseiture, cause the said Cattle, Sheep, and Swine to be killed, and the Hides and Tallow shall be to the Seizer, and the Remainder of the said Cattle, Sheep and Swine, shall be forthwith distributed amongst the Poor of the Parish, by the Churchwardens and Overseers, upon Notice thereof to be given by such Seizer.

If such Seizer, Churchwarden, or Overseer, shall fail in the Execution of this the said
Duty, they shall severally forfeit 40 s, for
every one of the great Cattle, and 10 s,
for every one of the Sheep or Swine which
should have been so killed, and distributed,
one Moiety thereof to the Poor of the Parish, and the other to the Informer, to be levied by Distress, and the Sale of the Offender's Goods, by Warrant of any Justice of
Peace, of the County or Place where the
Offence is so committed, upon Confession of
the Party, View of the Justices, or Oath of

the Informer) the Overplus to the Owners necessary Charges of distraining deducted, and for Want of Distress the Offender to be committed to Goal for three Months, without Bail or Mainprize.

Proviso, Not to hinder the Importation of

Stock-fift, or live Eels.

That no Mutton or Lamb shall be imported, and that all that shall be imported shall be subject to the like Seizures; and the Importers and Sellers to the like Penalties appointed by any former Act against the Importer or Seller of any Beef, Pork, or Bacon.

That no Butter or Cheese shall be imported from Ireland, and if imported, or exposed to Sale, shall be liable to the like Seizures, and the Importers and Sellers to the like Penalties, as are appointed in any former Law against the Importer or Importation of Beef, Pork, or Bacon.

If any great Cattle, Sheep or Swine shall be once or oftener seized, and afterwards, by Permission, Connivance, Negligence, or otherwise, removed and found alive in any other Parish or Place, they shall be liable to like Seizure; and the Seizer and the Poor of the

Parish

Parith of Place, to the like Benefit; and the Cattle, Sheep and Swine be forfeited and the Proof incumbent upon the Owner, as if fuch Cattle had never been seized before may not

If any English or other Cattles driven or intermixed with Irifb Cattle, that be feized together with them, fuch Cattle Hall be deem. ed Irifb, and shall be sabjed to like Forfer ture and shall be oldered and disposed in all Respects as if they were Iriful

18 Cha: Huchap. 2, and 20 Cho. H. chap. 7, fuspended per Stat. 9 and 6 W. and M. as to Importation of Bacon, during Stat. 4 and 5 W. and M. Seff. 4, chap. 5. ter or Cheefe frall be un-

Restrictions relative to GLASS.

Stat. 19. George IL Sect. 19. No Perfon shall import into Ireland any crown, plate, or Flint Glass, or white Glass, or any common Bottles, or other green Glass, or any Glass whatloever, other than the Manufacture of Great-Britain; under the Penalty of fuch Glass being forteited abd destroyed within ten Days after Condemnation, and also the Ship. in which the fame was imported, with her Furniture : And the Master of fuch Ship, and every other Person concerned in importing

feit 10s. for every Pound Weight thereof.

Sect. 20. The Master of every Ship which shall carry any crown, plate or flint-glass, whiteglass or any common Bottles, or other green Glass, orany Glass whatsoever, to Ireland, shall take from the Collector or Comptroller of the Port of Great-Britain, where he lades fuch Glass, a Duplicate of his Contents in Writing, of all the Glass taken on Board his Ship, before he be permitted to fail, under the Hand and Seal of fuch Collector or Comptroller, which faid Duplicate shall be delivered without Fee 5 and every Mafter of fuch Ship shall deliver upon Oath fuch Duplicate to the Collector. Comptroller, or other Officer of the Cuftoms. in fuch Port in Ireland where fuch Ship arrives, and intends to unlade, before he be permitted to land any fuch Glass; and if any Glass be unladen in any Part of Ireland, before fuch Duplicate is produced, all fuch Glass shall be forfeited and destroyed within ten Days after Condemnation, and also the Ship in which the fame was imported, be forfeited, with her Furniture; and the Mafter of fuch Ship, and every other Person concerned in importing of such Glass, or affifting

in the landing the same, shall forfeit 10s. for every Pound Weight thereof.

Sect. 21. If any Person, directly or indirectly, or be any Ways assisting in the exporting out of Ireland any Glass whatsoever, or directly or indirectly load upon any Horse or Carriage, or any Ship in Ireland, any Glass, with Intent to export the same, or that any Person should export the same out of Ireland, every Person so offending, shall, for every such Offence, forseit 10s. for every Pound Weight of Glass so exported or laden, and all Glass so exported and laden shall be forseited and destroyed within ten Days after Condemnation, and every Ship or Vessel wherein any such Glass shall be shipped, shall be forseited, with her Furniture.

Sect. 22. The Commissioners and SubCommissioners of Excise respectively, in their
respective Districts in Ireland, or the major.
Part of them, shall determine all Offences against this Act, relating to the Exportation or
Importation of Glass; and they may proceed in a summary Way, and give Judgment, and levy the Penalties, in like Manner
as in Cases of Excise in Ireland; one Moiety
to his Majesty, and the other Moiety to the
Officer

Restrictions relative to SAIL-CLOTH. 85 f.
Officer or other Person who shall inform or sue for the same.

Restrictions relative to SAIL-CLOTH.

Stat. 27. George II. cap. 32. Sect. 1. The feveral Duties following shall be paid to his Majesty, upon all Canvas or Sail-Cloth of the Manufacture of Ireland, imported into Great Britain (on which the Bounties of 4 d. and 2 d. a Yard respectively granted by an Act of Parliament in Ireland, in the 10th Year of his present Majesty's Reign, shall have been allowed) viz. for each Yard of fuch Canvas or Sail-cloth imported, of the Value of 14d. a Yard, and upwards, a Duty of 4d. and for each Yard of fuch Canvas or Sail-cloth imported, of the Value of 10d. a Yard and under 14 d. a Yard, a Duty of 2 d. which Duties shall be levied and paid by such Means, and under fuch Penalties, and shall be applied to the same Uses as the Duties upon the Importation of foreign Sail-cloth.

Sect. 2. No Canvas or Sail-Cloth shall be imported from Ireland into this Kingdom, but in whole Bolts, or Pieces; and if the Loops or double Threads of the said Pieces so imported, which by the said Act of Parlia-

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852 Referitions relative to SATE-CLOCKS

ment in Ireland are directed to be part of the Web Warp at the middle of that End of the Web which is last in weaving, shall be cut off, or if such Pieces be stamped with an Impression, importing the Payment of either of the said Bounties, then such Canvas or Sail-eleth shall be deemed to have received the said Bounty, and be liable to the Payment of the Duties payable by this Act.

Sect. 3. The faid several Duties, by this Act imposed, shall be paid on all such Canvas and Sail-cloth imported into Great Britain, for so long as the Bounties allowed in consequence of the said Act of Parliament of Ire-land shall continue:

Sect. 4. Upon the Importation of any Canvas or Sail-cloth from Ireland, into this Kingdom, it shall be lawful for the Collector, Comptroller, or other proper Officer of the Customs, to open and examine the same; and if it appear that either of the said Bounties has been paid, and no regular Entry of such Canvas or Sail-cloth has been made at such Port where the same was so imported, then all the Canvas or Sail-cloth so omitted, to be entered, shall be forseited and seized by any Officer of the Customs.

Restrictions relative to SAIL-CLOTH. 833

Sect. 5. If any Dispute arise touching the Duty to be paid upon such Canvas or Sail-cloth, such Duty shall be ascertained in the same Manner, and under the same Forseitures as Duties upon the Commodities imported into this Kingdom, and subject to the Payment of Duties ad valorem are ascertained.

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S .mro D. Mach. C. dus philippes of the second se School print on the policy to by Control of the South State of th Live the distribution in the land, in of the Charge of the Sale and Arthurst The thirt is the property and